

Notice of Meeting



CABINET

Tuesday, 13 November 2012 - 5:00 pm
Council Chamber, Civic Centre, Dagenham

Members: Councillor L A Smith (Chair); Councillor R Gill (Deputy Chair); Councillor J L Alexander, Councillor H J Collins, Councillor C Geddes, Councillor M A McCarthy, Councillor L A Reason, Councillor P T Waker, Councillor J R White and Councillor M M Worby

Date of publication: 5 November 2012

Graham Farrant
Chief Executive

Contact Officer: Alan Dawson
Tel. 020 8227 2348
E-mail: alan.dawson@lbbd.gov.uk

AGENDA

1. **Apologies for Absence**
2. **Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.
3. **Minutes - To confirm as correct the minutes of the meeting held on 18 September 2012 (Pages 1 - 6)**
4. **Budget Monitoring 2012/13 - April to September 2012 (Pages 7 - 36)**
5. **Governance Arrangements for Barking and Dagenham Reside and Associated Proposals for the Housing Allocations and Lettings Policy (Pages 37 - 47)**
6. **Schools' Capital Programme - Basic Need Allocation (Phase 2) (Pages 49 - 70)**
7. **Domestic and Sexual Violence Strategy 2012-15 (Pages 71 - 117)**
8. **Council Owned Infill Sites for Housing (Pages 119 - 145)**
9. **Land Appropriation at Goresbrook Village (Pages 147 - 158)**
10. **Interim Management Arrangements for Havering Youth Offending Team (Pages 159 - 163)**
11. **Safeguarding Adults Board Annual Report 2011/12 (Pages 165 - 198)**

- 12. Annual Report on the Financial and Service Performance of the Elevate Joint Venture 2011/12 (Pages 199 - 213)**
- 13. Urgent Action: Demographic Growth Capital Fund Grant - Trinity School Sixth Form Further Education Centre (FEC) (Pages 215 - 225)**
- 14. Any other public items which the Chair decides are urgent**
- 15. To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

Private Business

The public and press have a legal right to attend Council meetings such as the Cabinet, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972, as amended).

- 16. Disposal of Goresbrook Leisure Centre Site (Pages 227 - 241)**

Contains information relating to the financial and business affairs of bidders (paragraph 3)

- 17. Any other confidential or exempt items which the Chair decides are urgent**

CABINET

Tuesday, 18 September 2012
(5:00 - 5:15 pm)

Present: Councillor L A Smith (Chair), Councillor J L Alexander, Councillor H J Collins, Councillor C Geddes, Councillor M A McCarthy, Councillor L A Reason, Councillor P T Waker and Councillor M M Worby

Apologies: Councillor R Gill

35. Declaration of Members' Interests

There were no declarations of interest.

36. Minutes (24 July 2012)

The minutes of the meeting held on 24 July 2012 were confirmed as correct.

37. Budget Monitoring 2012/13 - April to July 2012

The Divisional Director of Finance presented a report on the Council's revenue and capital budget position for the 2012/13 financial year as at 31 July 2012.

The General Fund showed an improved position with a projected year-end overspend of £0.9m, compared to £1.1m as reported at the last meeting. The Divisional Director referred to the main areas of overspend within the Housing and Environment directorate (£0.6m) and the Finance and Resources directorate (£0.5m) which were partly offset by a £0.2m underspend in the Chief Executive's directorate. The Divisional Director also advised on proposed transfers and adjustments between budgets totalling £565,000.

The Housing Revenue Account (HRA) showed a projected break-even position and the Divisional Director advised on the main variances within the updated Capital Programme which amounted to a projected underspend of £1.646m on projects totalling £195m.

Cabinet agreed:

- (i) To note the projected outturn position for 2012/13 of the Council's revenue budget at 31 July 2012, as detailed in paragraphs 2.3 to 2.11 and Appendix A of the report;
- (ii) To note the progress against the 2012/13 savings targets at 31 July 2012, as detailed in paragraph 2.12 and Appendix B of the report;
- (iii) To note the position for the Housing Revenue Account at 31 July 2012, as detailed in paragraph 2.13 and Appendix C of the report;
- (iv) To note the projected outturn position for 2012/13 of the Council's capital budget at 31 July 2012, as detailed in paragraph 2.14 and Appendices D

and E of the report;

- (v) A one-off transfer of £310,000 from the Contingency Budget for the construction of multi-sport outdoor gyms in Central Park and St Chad's Park, as detailed in paragraph 2.15 of the report; and
- (vi) An on-going budget adjustment of £255,000 within the Finance and Resource directorate from the project based activity budgets to the Customer Services Contracts & Business Improvement service, as detailed in paragraph 2.16 of the report.

38. Performance House - Quarter 1, 2012/13

The Leader of the Council presented the corporate performance report for the first quarter period 1 April to 30 June 2012.

The Performance House report covered the full set of the Council's performance indicators, highlighting the 19 'key' indicators as well as those where performance had deteriorated. The report also contained information on customer complaints and Members' enquiries and the Leader reiterated the importance of all Members registering enquiries through the Members' casework process, as the information recorded via that process informed discussions on strategy and resource allocation. The Cabinet Member for Environment added that he would welcome improvements to the way that the data was processed and presented to further assist in the discussions on future service provision.

Cabinet **agreed** to note the performance during quarter 1 of the 2012/13 financial year (April to June 2012) and, in particular, the analysis of deteriorating performance as detailed in Appendix A to the report.

39. Highways Investment Programme 2012 - 2014

The Cabinet Member for Environment introduced a report on the proposed Highways Investment Programme for 2012/13 and 2013/14.

The Cabinet Member advised that the £6m programme would build on the significant improvements that had been delivered by the Council's £22m investment in the Borough's roads since 2009 and would be focussed on those roads that had been identified as being in the most urgent need of reconstruction or repair.

Cabinet **agreed**:

- (i) The allocation of £6 million to deliver priority highway maintenance works during 2012/13 and 2013/14 to the carriageways listed in Appendix A to the report; and
- (ii) To authorise the Corporate Director of Housing and Environment, in consultation with the Cabinet Member for Environment, to amend the priority list if other roads in the Borough deteriorated to such an extent as to be considered appropriate for inclusion.

40. Anti-Social Behaviour Strategy 2012-13

The Cabinet Member for Crime, Justice and Communities presented the draft Anti-Social Behaviour (ASB) Strategy for 2012/13 which had been developed by the Barking and Dagenham Community Safety Partnership (CSP) ASB Strategic Group.

The draft Strategy, which had been signed-off by the CSP on 12 June 2012 and endorsed by the Safer and Stronger Select Committee (S&SSC) on 17 July 2012, contained the following four strategic priorities:

- a) identifying and responding to the concerns of the Borough's communities around ASB;
- b) challenging the behaviour of perpetrators of ASB;
- c) providing quality support for victims and witnesses; and
- d) working better as a partnership to identify and respond to the causes of ASB.

The Cabinet Member explained that a longer term strategy had originally been envisaged but the decision was taken to press ahead with a 12 month plan rather than to delay pending the Government's long-awaited plans for reforming the approach to ASB. The Cabinet Member confirmed that a longer term strategy would be developed for 2013/14 onwards which reflected the implications of the recently published White Paper "Putting Victims First: More Effective Responses to ASB", as well as the outcomes from the S&SSC's ongoing work in the area of ASB which, as referred to by the Cabinet Member for Housing, would be focussed on the support provided to Council tenants affected by ASB and dealing with those responsible.

Cabinet **agreed**:

- (i) To endorse the Anti-Social Behaviour Strategy 2012-13 attached at Appendix 1 to the report, for implementation by the Community Safety Partnership; and
- (ii) To note the local and national context in which the Strategy would be published.

41. Together: A Community Cohesion Strategy for Barking and Dagenham 2012-16

The Cabinet Member for Crime, Justice and Communities introduced the draft Community Cohesion Strategy for 2012-16 entitled "Together", which represented the first community cohesion strategy for Barking and Dagenham developed by local partners under the umbrella of the local Community Strategic Partnership (CSP).

The Cabinet Member advised that the Strategy had the overarching objective of "ensuring that the Borough would increasingly be a place where people got on well together and supported one another" and the action plan that formed part of the overall Strategy would be regularly monitored and updated through the CSP.

Cabinet **agreed** to endorse the Community Cohesion Strategy for Barking and

Dagenham 2012-16, as set out at Appendix A to the report.

42. Transition of Public Health to Local Authorities: Delivery of the Future Public Health Responsibilities

The Cabinet Member for Health presented a report on the responsibilities and implications of the transfer of the public health function from NHS North East London and the City (NHS NELC) to the Council under the Health and Social Care Act 2012 with effect from 1 April 2013.

The Cabinet Member welcomed the return after almost 40 years of the leading public health role for local authorities and explained that the current proposals focussed on the establishment of key staffing and governance / constitutional arrangements. Further proposals aimed at ensuring a successful transition would be forthcoming in due course through the ongoing work with the shadow Health and Wellbeing Board and partners.

Cabinet agreed:

- (i) To authorise the Corporate Director of Adult and Community Services to make arrangements for the appointment of a Director of Public Health to serve Barking and Dagenham by means of transfer or TUPE arrangement, in line with Department of Health proposals following the Health and Social Care Act 2012;
- (ii) To authorise the Corporate Director of Adult and Community Services to explore options for sharing public health functions / services with other local authorities, as referred to in paragraph 4.3 of the report;
- (iii) To note the national approach taken to transferring staff from NHS organisations to the Council, including the implications for the initial transitional structure for the public health function at the point of transfer on 1 April 2013, as set out in paragraph 5 of the report;
- (iv) To note the indicative Public Health Grant of £11.019 million for 2013/14; and
- (v) That, in line with the new responsibilities, the Council's strategic priorities be reviewed to ensure that 'Health' was appropriately aligned to the Council's core business.

43. Proposed Expansion of Manor Infant School to become Manor Primary School

The Cabinet Member for Children's Services presented a report on the proposal to expand Manor Infant School to become Manor Primary School from the Autumn Term 2012.

The Cabinet Member referred to the significant demand for school places that continued to be experienced in the Borough. It was noted that the proposal sought to formalise an interim arrangement implemented from the start of the 2011/12 academic year whereby the Governors of Manor Infant School, Sandringham Road, Barking, had agreed to take on the responsibility of managing a newly

constructed school on the site of the former University of East London, known as Manor School (Scholars Way). The new Manor Primary School would have an admissions number of 120 at the Sandringham Road site (four forms of entry operating from Nursery through to Year 2) and an admissions number of 90 at Scholar's Way (three forms of entry operating from Nursery through to Year 6).

Cabinet **agreed** the formal expansion of Manor Infant School to become Manor Primary School for children from nursery age to Year 6 with effect from the Autumn Term 2012, as detailed in the report.

44. Decision not to Implement Proposals for the Amalgamation of William Ford Church of England (Voluntary Aided) Junior School and Village Infant School

Further to Minutes 20 and 24 (11 and 24 July 2012), the Cabinet Member for Children's Services introduced a report setting out the formal steps required to no longer implement the proposed amalgamation of William Ford Church of England Junior School and Village Infant School and to maintain the current, separate status of the schools.

Cabinet **agreed**:

- (i) That there be no duty to implement the changes agreed by Minute 11 of the Cabinet of 11 July 2012 in light of the decision by the William Ford Church of England Junior School Governing Body, at its meeting on 17 July 2012, not to proceed with the proposal to amalgamate William Ford Church of England Junior School and Village Infant School to become an all-through Church of England Voluntary Aided Primary School with effect from 1 September 2012;
- (ii) That the Governing Body of William Ford Church of England Junior School be relieved of its duty to implement the proposal to expand the age range of the William Ford Church of England Junior School;
- (iii) That the Council be relieved of its duty to implement the proposal to close Village Infants School with effect from 1 September 2012; and
- (iv) To note that the following two actions approved under Minute 11 were no longer necessary:
 - a. the grant of a lease for a peppercorn rent of the amalgamated site together with the adjoining access road and school house, as shown on drawing number LBBD/GIS/002, to the Trustees of William Ford School for the purposes of ensuring that the through school can operate on one site;
 - b. the delegated authority to the Corporate Director of Children Services, in consultation with the Corporate Director of Finance and Resources and the Divisional Director for Legal and Democratic Services to agree terms and conclude the necessary legal agreements to facilitate the merger of the two schools.

45. Award of Contract for Leasehold Property Insurance Cover

The Cabinet Member for Housing presented a report on the outcome of the retendering of the contract to provide Leasehold Buildings Insurance Cover.

The Cabinet Member advised that there had been very limited interest from the insurance industry in the contract and only one bidder, Zurich Municipal, had met the Council's specification requirements. The Cabinet Member added that, despite the lack of interest, the new contract represented a better deal for leaseholders and arrangements were in hand to encourage greater involvement of leaseholders and interest from potential bidders for future contracts.

Cabinet **agreed**:

- (i) To award the contract for the provision of Leasehold Buildings Insurance Cover in respect of the Council's leasehold properties to Zurich Municipal, commencing 29 September 2012, on the terms detailed in the report; and
- (ii) To authorise to the Corporate Director of Finance and Resources, in consultation with the Corporate Director of Housing and Environment and following procurement and legal advice, to exercise any contract extension options deemed to be in the best interests of the Council and leaseholders.

46. Debt Management Performance and Write-Offs 2012/13 (Quarter 1)

The Divisional Director of Finance presented the quarterly performance report for the period April - June 2012 in respect of the debt management function carried out by the Revenues and Benefits Service within Elevate East London, together with details of the debts written-off as uncollectable during the period and comparable information from the previous financial year.

Cabinet **agreed**:

- (i) To note the performance of the debt management function carried out by the Revenues and Benefits service operated by Elevate East London, including the performance of bailiffs, as detailed in the report; and
- (ii) To note the debt write-offs for the first quarter of 2012/13 and that a number of the debts would be publicised in accordance with the policy agreed by Minute 69 (6 November 2007).

CABINET

13 NOVEMBER 2012

Title: Budget Monitoring 2012/13 - April to September 2012	
Report of the Cabinet Member for Finance	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Kathy Freeman, Group Manager. Corporate Finance	Contact Details: Tel: 020 8227 3497 E-mail: kathy.freeman@lbbd.gov.uk
Accountable Divisional Director: Jonathan Bunt, Divisional Director of Finance	
Accountable Director: Graham Farrant, Chief Executive	
<p>Summary:</p> <p>This report provides Cabinet with an update of the Council's revenue and capital position for the six months to the end of September 2012 projected to the year end.</p> <p>The Council began the current financial year in a better financial position than the previous year with a General Fund (GF) balance of £14.3m.</p> <p>At the end of September 2012, total service expenditure for the full year is projected to be £176.8m against the approved budget of £177.4m, a projected under spend of £0.6m. Explanatory summaries are contained in section 2 of this report.</p> <p>The current projected under spend of £0.6m would result in the General Fund balance increasing to £14.9m.</p> <p>The Housing Revenue Account (HRA) is projected to break even, maintaining the HRA reserve at £8.3m. The HRA is a ring-fenced account and cannot make contributions to the General Fund.</p> <p>The Capital Programme has been updated to reflect project roll-overs and changes approved at Cabinet, and the budget at the end of September stands at £150.5m. Capital budgets cannot contribute to the General Fund revenue position although officers ensure that all appropriate capitalisations occur.</p>	
Recommendation(s)	
<p>The Cabinet is recommended to:</p> <p>(i) Note the projected outturn position for 2012/13 of the Council's revenue budget at 30 September 2012, as detailed in paragraphs 2.3 to 2.11 and Appendix A of the report;</p> <p>(ii) Note the progress against the 2012/13 savings targets at 30 September 2012, as detailed in paragraph 2.12 and Appendix B of the report;</p>	

- (iii) Note the position for the HRA at 30 September 2012, as detailed in paragraph 2.13 and **Appendix C** of the report;
- (iv) Note the projected outturn position for 2012/13 of the Council's capital budget at 30 September 2012, as detailed in paragraph 2.14 and **Appendices D and E** of the report;

Reason(s)

As a matter of good financial practice, the Cabinet should be regularly updated with the position on the Council's budget. In particular, this paper alerts Members to particular efforts to reduce in year expenditure in order to manage the financial position effectively.

1 Introduction and Background

- 1.1 The Final Outturn report to Cabinet on 26 June 2012 reported that, as at 31 March 2012, general fund balances stood at £14.3m; an increase of £3.5m on the position twelve months earlier.
- 1.2 This report provides a summary of the Council's General Fund and HRA revenue and capital positions. It also provides an update on progress made to date in the delivery of the agreed savings targets built into the 2012/13 budget setting out risks to anticipated savings and action plans to mitigate the risk.
- 1.3 It is important that the Council regularly monitors its revenue and capital budgets to ensure good financial management. This is achieved within the Council by monitoring the financial results on a monthly basis through briefings to the Cabinet Member for Finance and Education and reports to Cabinet. This ensures Members are regularly updated on the Council's overall financial position and enables the Cabinet to make relevant financial and operational decisions to meet its budgets.

2 Current Overall Position

- 2.1 The current Directorate revenue projections indicate an under spend of £0.6m for the end of the financial year, made up as follows:
 - £0.3m over spend in Finance and Resources due to pressures in the Revenues & Benefits court costs income budgets;
 - (£0.4m) under spend in the Chief Executive Directorate from vacancies;
 - (£0.5m) under spend in Central Expenses against the interest budgets.

The initial forecast of a £0.6m under spend would result in the Council's General Fund balance remaining above the budgeted target of £10.0m. The Chief Finance Officer has a responsibility under statute to ensure that the Council maintains appropriate balances. Actions have already been put in place to reduce the Council's net out-goings and ensure a balanced position by year end to maintain the available level of balances.

- 2.2 The Corporate Director of Finance and Resources, after consideration of the factors outlined in the CIPFA guidance on Local Authority Reserves and Balances 2003, set a target GF reserves level of £10.0m. The General Fund balance at 31 March

2012 was £14.3m and the current projected balance for the end of the financial year is £14.9m.

At the end of September 2012, the HRA is forecasting to break even and maintain the HRA reserve at £8.3m.

	Balance at 1 April 2012	Projected Balance at 31 March 2013	Target Balance at 31 March 2013
	£'000	£'000	£'000
General Fund	14,346	14,912	10,000
Housing Revenue Account (including Rent Reserve)	8,269	8,269	8,269

- 2.3 The current full year projection to 31 March 2013 across the Council for the General Fund is shown in the table below.

Council Summary	Net Budget £'000	Full year projection at Sep 2012 £'000	Over/(under) Budget Projection £'000
<u>Directorate Expenditure</u>			
Adult and Community Services	62,598	62,598	-
Children's Services	70,132	70,132	-
Housing and Environment	21,867	21,867	-
Finance and Resources	22,020	22,320	300
Chief Executive	794	428	(366)
Central Expenses	(32)	(532)	(500)
Total Service Expenditure	177,379	176,813	(566)

The current projection would increase the General Fund to £14.9m, which is over the minimum level recommended by the Corporate Director of Finance and Resources.

2.4 Directorate Performance Summaries

The key areas of potential over spend and risks are outlined in the paragraphs below.

2.5 Adult and Community Services

Directorate Summary	2011/12 Outturn	2012/13 Budget	2012/13 Projection
	£'000	£'000	£'000
Net Expenditure	69,951	62,598	62,598
Projected over/(under)spend			-

The Adult and Community Services forecast outturn position at period 6 of the 2012/13 financial year is to break even.

A challenging savings target of £3.4m is built into the 2012/13 budget and, at this stage in the financial year, the Directorate is confident these savings will be realised.

2.6 Children's Services

Directorate Summary	2011/12 Outturn	2012/13 Budget	2012/13 Projection
	£'000	£'000	£'000
Net Expenditure	69,729	70,132	70,132
Projected over/(under)spend			-

At period 6 the Service is reporting a year end balanced position. There is a headline service pressure of £157k with pressures continuing in Complex Needs and Social Care relating to assessment and care management, Section 17, SEN and NRP transport. Management actions are in place to hold back all non-essential spend in light of budgetary pressures. The forecast underlying pressure assumes the receipt of £337k Social Work Improvement Fund grant which is still to be confirmed by the DfE.

2.7 Dedicated School Grant (DSG)

The DSG is a ring fenced grant to support the education of school aged pupils within the borough. The grant is allocated between the Schools and Centrally Retained budget in agreement with the Schools Forum. The indicative 2012/13 DSG allocation is £196.1m with £20.4m being retained centrally.

2.8 Housing and Environment

Directorate Summary	2011/12 Outturn	2012/13 Budget	2012/13 Projection
	£'000	£'000	£'000
Net Expenditure	23,579	21,867	21,867
Projected over/(under)spend			-

The Housing and Environment General Fund budget is currently forecast to break even which is an improved position from the £500k reported overspend in Housing General Fund for period 5.

The main pressure within the Housing General Fund still remains. This pressure is within the Housing Advice Service and is caused by an increase in the number of people presenting, and being accepted, as statutorily homeless. This increase, coupled with the low availability of locally sourced and affordable private sector licensed (PSL) properties and council owned dwellings, has led to the increased use of bed and breakfast accommodation. Bed and breakfast accommodation is a high cost placement to the Council as a result of the benefit cap on this type of accommodation leading to a loss of housing benefit subsidy for the Council.

However, further in-year action plans have now been formulated to mitigate this current pressure although there are a number of risks in the deliverability of these actions plans which will be closely monitored. There are also factors outside of the

control of the service such as a higher than anticipated increase in demand for homeless placements and the prevailing market conditions within the private sector rented market which may lead to an increased pressure.

A freeze on spend, where possible, has also been applied to ensure that the department comes in on budget.

The department started the year with a savings target of £2.3m. A high proportion of the savings will be fully delivered but there is currently an overall pressure of around £513k. This is mainly due to significant pressures facing the Housing General Fund in respect of temporary accommodation which in turn affects the deliverability of the £350k saving for CUS/SAV/10 (see 2.12 below).

2.9 Finance and Resources

Directorate Summary	2011/12 Outturn	2012/13 Budget	2012/13 Projection
	£'000	£'000	£'000
Net Expenditure	25,523	22,020	22,320
Projected over/(under)spend			300

The Finance & Resources department is currently forecast to overspend by approximately £300k which is an improvement of £318k from the period 5 projection. There is a continued pressure arising from the under-recovery of court cost income in Revenues & Benefits of approximately £600k. This pressure is being contained by deliberate actions to deliver underspends in other areas of the Department such as keeping posts vacant and a freeze on expenditure where possible.

Further action plans are currently being formulated to further reduce the projected overspend so that the Department will break even by the year end. Progress will be reported at period 7.

For 2012/13 the department had a total savings target of £2.591m and all of the individual savings are forecast to be delivered.

A new risk has emerged this month in relation to the benefit subsidy budgets. It has been reported by Elevate that the Council is close to breaching the Local Authority Error Rate thresholds. If the thresholds are breached the Council is then unable to reclaim 100% subsidy from DWP and depending on the level of the breach this loss could range from around £450k to £860k. Elevate are now allocating additional resources to mitigate the current position. No provision has been made in the above projections but the position is being closely monitored.

2.10 Chief Executive

Directorate Summary	2011/12 Outturn	2012/13 Budget	2012/13 Projection
	£'000	£'000	£'000
Net Expenditure	122	794	428
Projected over/(under)spend			(366)

The services within the Chief Executive department are currently forecast to underspend by £366k which is an improvement of £137k from the £229k underspend reported at the end of period 5.

This improvement is mainly as a result of in year staffing vacancies in the Legal team and also the prudent use of supplies & services and training budgets across the department.

For 2012/13 the department had a total savings target of £2.3m and there is currently a projected shortfall in delivery of £136k in respect of the HR targets but this is being managed by reductions in other expenditure.

2.11 Central Expenses

Directorate Summary	2011/12 Outturn	2012/13 Budget	2012/13 Projection
	£'000	£'000	£'000
Net Expenditure	(1,941)	48	(452)
Projected over/(under)spend			(500)

Due to the management of our cash balances a net under spend of £500k is projected against the budgets for interest payable and interest receivable.

2.12 In Year Savings Targets

The delivery of the 2012/13 budget is dependent on meeting a savings target of £19.0m. Directorate management teams are monitoring their targets and providing a monthly update of progress which is summarised in the table below. A detailed breakdown of savings and explanations for variances is provided in **Appendix B**.

Directorate Summary of Savings Targets	Target £'000	Projection £'000	Shortfall £'000
Adult and Community Services	3,392	3,392	-
Children's Services	3,410	3,410	-
Housing and Environment	2,331	1,818	513
Finance & Resources	2,591	2,591	-
Chief Executive	2,300	2,164	136
Central Expenses	5,000	5,000	-
Total	19,024	18,375	649

2.13 Housing Revenue Account (HRA)

The Housing Revenue Account is currently expected to break even in 2012/13. There are some budget pressures in relation to additional work required to re-provide the R&M service as an in-house operation which is currently predicted to be in the region of £450k.

There are further pressures in Supervision & management relating to energy costs £200k and a one- off contribution to Housing Strategy team for the work involved in the implementation of the new self-financing implementation of £200k. In addition to the above, there is also a £138k pressure as a result of the budgeted rental increase for garages not being approved.

The above pressures are being mitigated in-year by a higher than budgeted net rental surplus of £248k, mainly arising from the renting of decanted/ general needs properties for temporary accommodation that would have otherwise remained void. In addition, interest of £324k on borrowing of £8.5m for the Decent Homes capital programme will not now be paid as a result of slippage in the programme. The HRA is also benefitting from an estimated additional £350k of interest on cash balances as a result of larger cash balances arising from the deferral of elements of the capital schemes (see 2.14 below) and unplanned longer-term investment activity post settlement.

In order for the HRA to break-even the Revenue Contribution to Capital has been reduced by £181k which will be accommodated by a reduction in the investment contingency allocation within the Business Plan.

There is a risk that the pressure on the revenue budgets as a result of the implementation of the new repairs service will increase as the work streams progress but this is being closely monitored.

In 2011/12 there was a budgeted £1.4m contribution to HRA revenue reserves which led to a brought forward revenue reserves balance of £8.3m but there is no further budget contribution in 2012/13 to increase this reserve balance.

2.14 Capital Programme

The Capital Programme budget has been updated to reflect re-profiling of slippage into 2013/14 and hence is lower than reported last month for 2012/13.

Directorate Summary of Capital Expenditure	Budget £'000	Projected Outturn £'000	Projected Variance £'000
Adult & Community Services	6,106	5,977	(129)
Children's Services	62,575	61,969	(606)
Housing & Environment	53,918	51,911	(2,007)
Finance & Resources	27,917	26,726	(1,191)
Total	150,516	146,583	(3,933)

A detailed Capital Programme is provided at **Appendix D**.

Variances by area are largely due to slippage and are summarised below:

Adult & Community Services

- Community Services, Heritage & Libraries – (£196k) under spend
- Leisure Services – £67k over spend

Children's Services

- Schools – (£437k) under spend
- Other schemes – (£169k) under spend

Housing & Environment

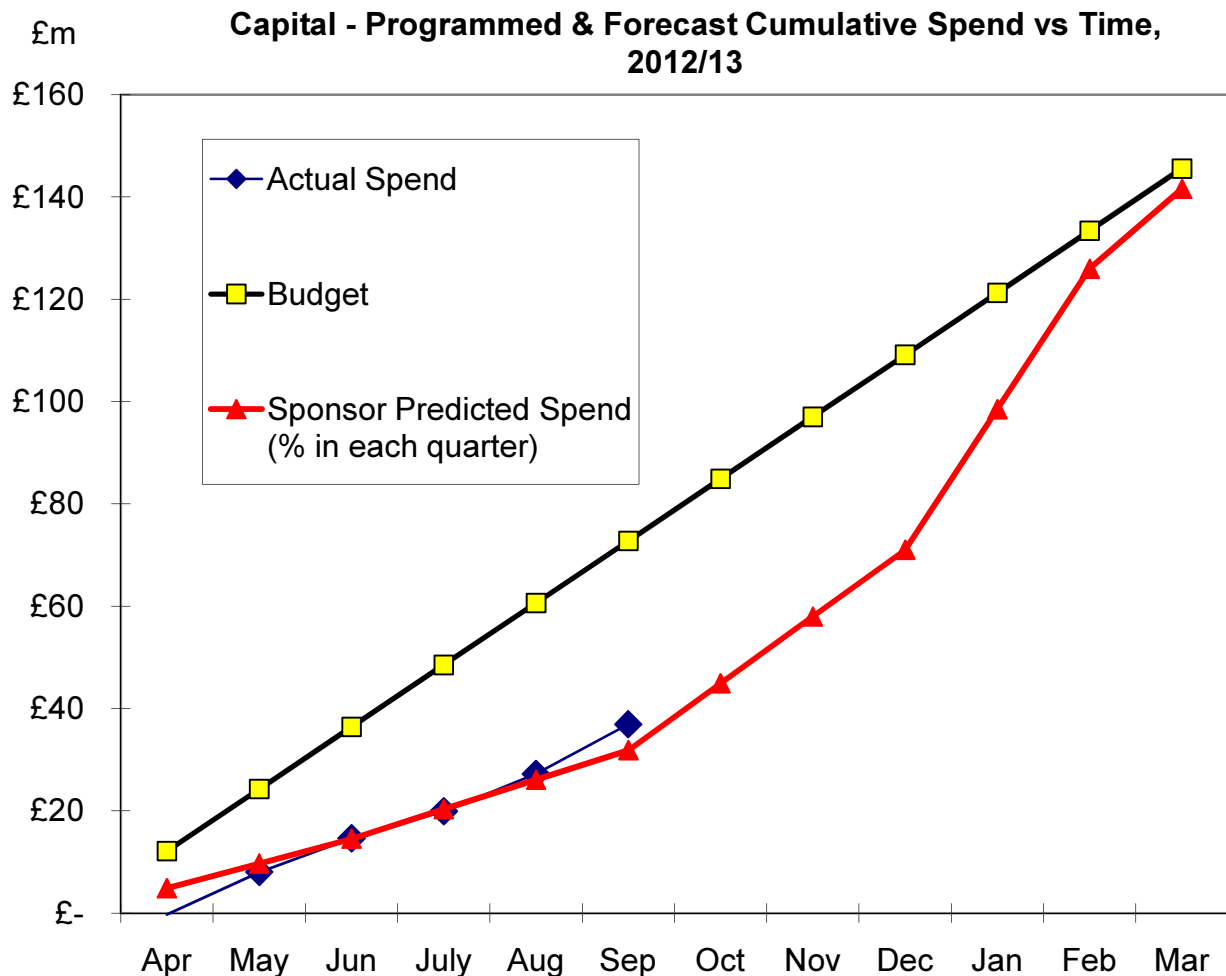
- Housing Revenue Account – (£1,919k) under spend after re-profiling £32m into 2013/14.
- Other schemes – (£88k) under spend

Finance & Resources

- Asset Strategy – break even
- ICT – (£1,147k) under spend
- Regeneration – (£44k) under spend

Explanations for project variances over £100k are provided in **Appendix E**.

Year to date capital expenditure totals £36.9m representing only 25% of the annual budget after re-profiling at the half way point of the year. The following graph compares projected spend against programmed spend for the year:



This illustrates that actual spend to date is well below budgeted levels and project sponsors are forecasting that 50% of expenditure will occur in the final quarter of the financial year (January – March 2013). Given the current low level of expenditure and high degree projected towards the end of the year it is likely that the level of slippage will be higher than currently reported.

2.15 Financial Control

At the end of September all key reconciliations have been prepared and reviewed and no major reconciling items unexplained.

3 Options Appraisal

The report provides a summary of the financial position at the relevant year end and as such no other option is applicable for appraisal or review.

4 Consultation

The report has been circulated to appropriate Divisional Directors for review and comment. Specific implications are noted in section 6.

Individual Directorate elements have been subject to scrutiny and discussion at their respective Directorate Management Team meetings.

5 Financial Implications

This report details the financial position of the Council.

6 Legal Issues

Local authorities are required by law to set a balanced budget for each financial year. During the year there is an ongoing responsibility to monitor spending and ensure the finances continue to be sound. This does mean as a legal requirement there must be frequent reviews of spending and obligation trends so that timely intervention can be made ensuring the annual budgeting targets are met.

7 Background Papers Used in the Preparation of the Report

- Final Revenue and Capital Outturn 2011/12; Cabinet 26 June 2012;
- Budget Framework 2012/13; Cabinet 14 February 2012.

8 List of Appendices

Appendix A – General Fund expenditure by Directorate

Appendix B – Savings Targets by Directorate

Appendix C – Housing Revenue Account Expenditure

Appendix D – Capital Programme

Appendix E – Explanation for Capital Variances

This page is intentionally left blank

**GENERAL FUND REVENUE MONITORING STATEMENT
SEPTEMBER 2012/13**

Directorate	Ottturn 2011/12	Original Budget	Working Budget	Projected Ottturn	Projected Variance
	£'000	£'000	£'000	£'000	£'000
<u>Adult & Community Services</u>					
Adult Care & Commissioning	46,070	45,489	45,730	45,730	-
Mental Health	3,770	3,861	3,715	3,715	-
Community Safety & Neighbourhood Services	4,463	4,403	4,357	4,357	-
Culture & Sport	9,796	8,067	8,088	8,088	-
Management	267	679	708	708	-
	64,366	62,499	62,598	62,598	-
<u>Children's Services</u>					
Education	7,303	3,064	3,436	3,084	(352)
Targeted Support	12,146	10,017	10,234	9,667	(567)
Complex Needs and Social Care	33,402	29,339	29,352	30,370	1,018
Commissioning and Safeguarding	4,292	3,789	4,097	4,047	(50)
Other Management Costs	12,586	22,083	23,013	22,964	(49)
	69,729	68,292	70,132	70,132	-
<u>Children's Services - DSG</u>					
Schools	(17,739)	(22,358)	(21,878)	(21,878)	-
Quality & Schools Improvement	4,959	5,953	5,953	5,953	-
Integrated Family Services	4,032	4,713	4,713	4,713	-
Safeguarding & Rights Services	5,909	5,763	5,763	5,763	-
Children's Policy & Trust Commissioning	493	1,182	1,182	1,182	-
Skills and Learning	-	-	-	-	-
Other Services	2,346	4,747	4,267	4,267	-
	-	-	-	-	-
<u>Housing & Environment</u>					
Environment & Enforcement	20,355	19,719	19,989	19,989	-
Housing General Fund	3,224	1,611	1,878	1,878	-
	23,579	21,330	21,867	21,867	-
<u>Finance & Resources</u>					
F&R Directorate	4,487	4,392	4,316	4,170	(146)
Finance (including Audit & Risk and Subsidy)	(841)	(638)	(352)	(489)	(137)
Regeneration & Economic Development	5,571	4,880	4,905	4,905	-
Emergency Planning & Operations	796	563	617	499	(118)
Customer Services, Contracts & Improvement	14,431	9,950	10,536	11,278	742
Assets & Facilities Management	1,348	1,130	1,869	1,853	(16)
Corporate Client	(135)	129	129	104	(25)
Capital Delivery	(134)	-	-	-	-
	25,523	20,406	22,020	22,320	300
<u>Chief Executive Services</u>					
Chief Executive Unit	(228)	-	(150)	(205)	(55)
Marketing & Communications	-	-	31	(29)	(60)
Corporate Policy & Public Affairs	217	-	-	(56)	(56)
Legal & Democratic Services	60	377	623	506	(117)
Human Resources	73	-	290	212	(78)
	122	377	794	428	(366)
<u>Other</u>					
Central Expenses	(10,528)	(8,383)	(12,099)	(12,599)	(500)
Contingency	-	3,938	3,148	3,148	-
Levies	8,587	8,920	8,920	8,920	-
	(1,941)	4,475	(31)	(531)	(500)
TOTAL	181,378	177,379	177,380	176,814	(566)

This page is intentionally left blank

APPENDIX B

GENERAL FUND SAVINGS MONITORING STATEMENT

SEPTEMBER 2012/13

Adult and Community Service

Reference	Detail	Explanation for Variance Where Applicable	Target £'000	Forecast £'000	Variance £'000
ACS/SAV/01	Reductions to services funded by Area Based Grant	On line to be achieved	1,251	1,251	-
ACS/SAV/02	Inclusion of Tenancy Sustainment Team in remodel and retender of floating support.	On line to be achieved	120	120	-
ACS/SAV/03	Remodeling homecare services in line with the principles of personalisation	On line to be achieved	20	20	-
ACS/SAV/04	Revisions to pricing framework for Care Home Placements	On line to be achieved	20	20	-
ACS/SAV/06	Changes to in-house residential care service for adults with a learning disability (80 Gascoigne)	Saving behind schedule due to necessary building works. However, the saving is being managed within the Directorates budgets.	125	125	-
ACS/SAV/07	Learning Disability Day Services Management Saving	On line to be achieved	25	25	-
ACS/SAV/08	Reducing Children's to Adults' transition costs	On line to be achieved	50	50	-
ACS/SAV/09	Reconfiguration of mental health services	On line to be achieved	98	98	-
ACS/SAV/10	Changes to grants to voluntary organisations	On line to be achieved	285	285	-

Reference	Detail	Explanation for Variance Where Applicable	Target £'000	Forecast £'000	Variance £'000
ACS/SAV/11	Broadway theatre	On line to be achieved	65	65	-
ACS/SAV/12	Closure of Goresbrook Leisure Centre	On line to be achieved	161	161	-
ACS/SAV/13	Olympic unit	On line to be achieved	32	32	-
ACS/SAV/14	Reduction to events and education programme	On line to be achieved	40	40	-
ACS/SAV/16	Libraries - charging for internet access	Due to a delay in implementing the necessary IT for this saving there will be some shortfall on income. However, this is being managed within the Directorates budgets	20	20	-
ACS/SAV/17	Expanding commercial opportunities at heritage venues	On line to be achieved – however, the saving is being reviewed regularly to make sure the income is being achieved.	10	10	-
ACS/SAV/18	Leisure Centres - Charges	On line to be achieved	310	310	-
ACS/SAV/19	Remodeling of crime and disorder services to develop Integrated Offender Management	On line to be achieved	112	112	-
ACS/SAV/20	Deletion of 4 Community Safety Co-ordinators	On line to be achieved	46	46	-
ACS/SAV/21	Non Staffing Supplies & Services Budgets	On line to be achieved	85	85	-
ACS/SAV/22	Libraries review	On line to be achieved	212	212	-
Feb 2011 Assembly	Commissioning Contracts & Purchase Savings	On line to be achieved	250	250	-
Feb 2011 Assembly	Community halls	On line to be achieved	175	175	-
Total			3,392	3,392	-

Children's Services

Reference	Detail	Explanation for Variance Where Applicable	Target	Forecast	Variance
			£'000	£'000	£'000
CHS/SAV/01	Alternative delivery method for Independent Review Officer (IROs) - Change the method of delivery of the independent reviewing officers posts	On line to be achieved	110	110	-
CHS/SAV/02	Prevention/Crisis Intervention/ Family Group Conferencing Merger of the three preventative services to create efficiencies	On line to be achieved	100	100	-
CHS/SAV/03	School Estate/School Investment Team partly funded from DSG	On line to be achieved	150	150	-
CHS/SAV/04	Youth and Engagement Team Efficiency	On line to be achieved	80	80	-
CHS/SAV/05	Common Assessment Framework (CAF) team reductions- reducing the number of posts in the CAF team	On line to be achieved	80	80	-
CHS/SAV/06	Catering efficiencies/reductions	On line to be achieved	150	150	-
CHS/SAV/07	CAMHS Schools Counselling contract ending that will not be renewed and reduction in primary and emotional team	On line to be achieved	60	60	-
CHS/SAV/08	Safeguarding Board Cost Reductions	On line to be achieved	30	30	-
CHS/SAV/09	14-19 Flexi Learning Services, General Fund element removal - reductions in support or through increased Dedicated Schools Grant (DSG) contribution	On line to be achieved	50	50	-
CHS/SAV/10	Connexions - Careers Reduction in Contract Value	On line to be achieved	700	700	-
CHS/SAV/11	Management Re-structure - reducing the number of post in the Assessment Team	On line to be achieved	50	50	-
CHS/SAV/12	Reducing Children's to Adults transition costs	On line to be achieved	50	50	-
CHS/SAV/13	Service Efficiencies and re-organisation	On line to be achieved	100	100	-

Reference	Detail	Explanation for Variance Where Applicable	Target	Forecast	Variance
			£'000	£'000	£'000
CHS/SAV/14	Disabled Children's Team - Contribution from short breaks funding on mainstreamed into base budget	On line to be achieved	100	100	-
CHS/SAV/17	Education Inclusion/School Improvement - Staffing Review and Reductions	On line to be achieved	185	185	-
CHS/SAV/18	School Improvement Income - Raising the SLA income - charging Schools for services/Other Local authorities	On line to be achieved	60	60	-
CHS/SAV/19	Training Reductions	On line to be achieved	260	260	-
CHS/SAV/20	Reduction of Management costs in the Multi-agency Locality Teams	On line to be achieved	150	150	-
CHS/SAV/21	Portage Amalgamation	On line to be achieved	35	35	-
CHS/SAV/22	Reduction to Youth Commissioning Fund	On line to be achieved	100	100	-
Feb Assembly	Education Psychology Service - Combination of Staffing and increased school SLA income	On line to be achieved	100	100	-
Feb Assembly	Childcare Team	On line to be achieved	145	145	-
Feb Assembly	Reconfigure & merge Children's Centres, Merging 8 Children's Centres into 4	On line to be achieved	520	520	-
Feb Assembly	Family Information Services	On line to be achieved	45	45	-
Total			3,410	3,410	-

Housing and Environment

Reference	Detail	Explanation for Variance Where Applicable	Target £'000	Forecast £'000	Variance £'000
Feb Assembly	Transport savings from adjustments for affordability and reductions in use of buses	Savings plan based on cessation of two routes, of which only one route has been implemented. The second route planned to end towards Sept/Oct so will only realise part benefit.	100	75	25
ACS/SAV/02	Inclusion of Tenancy Sustainment Team in remodel and retender of floating support.	Completed	120	120	-
CUS/SAV/03	Revisions to Domestic Refuse Collection and Recycling Services	On target, glass is now collected within regular domestic waste.	260	260	-
CUS/SAV/04	Relocation of Passenger transport services to a Frizlands depot and realignment of resources to optimise service delivery	Relocation confirmed. To liaise with Property Services to confirm arrangements.	206	206	-
CUS/SAV/05	Replace orange bags with recyclable bins	Capital bid approved from Oct 2012 – £100k was approved in cabinet to be released form contingency to cover the period of delay.	200	200	-
CUS/SAV/06	Optimisation of Refuse fleet	On target, double shifting in operation from 1 st April	200	200	-
CUS/SAV/07	Management Restructure in Environmental Services	Have completed top layer, awaiting rest of service restructure	154	154	-
CUS/SAV/08	Turning down the lights to save energy	Meeting with Volker scheduled for 14/06 – savings generated from August onwards (8 months pro rata). Anticipated savings from 13/14 can be implemented earlier to cover the shortfall	138	138	-
CUS/SAV/09	Increase in cost of permits within Car Parking Zones	Costs and number of permits to be generated to be confirmed.	70	70	-
CUS/SAV/10	Converting private sector licence properties from old portfolio to the new contract at lower rates.	The savings target is a combination of reduction in B&B pressures, PSL conversions, and use of council own stock to reduce cost	350	0	350

Reference	Detail	Explanation for Variance Where Applicable	Target £'000	Forecast £'000	Variance £'000
		pressures. Whilst other items are controllable, the use of B&B properties has risen substantially in last few months.			
CUS/SAV/11	Reduced mowing to create naturalised environment	Receiving help of Ambassador Woodland, GLA, Woodland Trust etc.	33	3	30
CUS/SAV/12	Renegotiate Abandoned Vehicle contract	On target	12	12	-
CUS/SAV/13	Reduction in Environmental Enforcement	Initial savings was based on reduction of 4 posts, subsequently replaced by increased income target. £20k to be generated in Area Services and £50k in Enforcement. Income is being generated from a very low base.	140	70	70
CUS/SAV/14	Making Parks more commercially sustainable	Parking charges in Parks not being implemented (£9K) as per members decision, Grazing and Education at Millennium Centre not achievable (£4.5k), only half of Bowling Greens savings and 'Golfwise' achievable (i.e.£25k) as original costings from 'Confirm' now inaccurate, Income from Lakes, Tennis and Education and Concessions achievable	98	60	38
Feb Assembly	Housing Advice Restructure	Complete.	50	50	-
Feb Assembly	Re procurement of street lighting contract	On target for both Schedule 1 (planned) and 3 (other reactive works) to meet savings.	200	200	-
Total			2,331	1,818	513

Finance and Resources

Reference	Detail	Explanation for Variance Where Applicable	Target £'000	Forecast £'000	Variance £'000
FIN&RES/SA V/01	Transfer of Assets and Commercial Services division to Elevate	The transfer of the Property Services, BSF and Technical Support Sections took place on 1 st April 2012. Savings achieved through the deletion of posts in LBBD and the transfer of staff into established posts within the Elevate structure.	756	756	-
FIN&RES/SA V/02	Reviewing staffing levels within the Capital Programme Monitoring Office(CPMO), Corporate Programmes Team and Business Support	3 Vacant posts have been deleted.	150	150	-
FIN&RES/SA V/04	External Risk Management Training - Cease external risk management training	Supplies and service budget reduced.	7	7	-
FIN&RES/SA V/06	One Stop Shop & Contact Centre Service Reduction	This saving is being delivered by Elevate. The affected staff did not leave until the middle / end of May; accordingly we will not see a dip in the performance figures until July.	203	203	-
FIN&RES/SA V/07	Review Out of Hours Contract	Savings currently delivered by Elevate.	25	25	-
FIN&RES/SA V/08	Reduction in the CIPFA trainee programme	2 posts deleted were held vacant in 11-12 therefore savings achieved.	70	70	-
FIN&RES/SA V/09	Recharging Pondfield House rent to the Housing Revenue Account	Saving achieved	200	200	-
FIN&RES/SA V/10	Reduction in Provision for Carbon Reduction Commitment (CRC)	Saving achieved through the charging of Schools CRC costs to the DSG	200	200	-
FIN&RES/SA V/11	Savings in Sustainable Economic Development area	On target to be achieved. Posts have been deleted, and the affected staff have now left the organisation. Projects budgets have also been scaled back accordingly.	190	190	-
FIN&RES/SA V/12	Reorganisation of Development Planning team	On target – post deleted / person left, and supplies budgets have been reduced accordingly.	90	90	-

Reference	Detail	Explanation for Variance Where Applicable	Target £'000	Forecast £'000	Variance £'000
FIN&RES/SA V/13	Reorganisation of Employment & Skills team	On target. The employees have been reduced and the projects budget has been scaled back.	80	80	-
FIN&RES/SA V/14	Reduction to staffing in Job Shop and business support	On target – linked to savings above.	50	50	-
FIN&RES/SA V/15	Reduction of External Audit fees	A reduced bill is expected from the Audit Commission for this saving to be delivered.	30	30	-
FIN&RES/SA V/16	Reduction in Building Schools for the Future budget	Saving achieved as spend with consultants in the BSF area is now reducing.	50	50	-
Feb Assembly	Re-structuring of Staffing establishment and a reduction in non-employee budgets	The structure for 12-13 has been implemented and the service is operating within existing funding.	256	256	-
Feb Assembly	Reduction in accommodation costs through the Modern Ways of Working project	Saving achieved through the closure of Fortis House. Budgets to be transferred from Children's Services.	234	234	-
Total			2,591	2,591	-

Chief Executive

Reference	Detail	Explanation for Variance Where Applicable	Target £'000	Forecast £'000	Variance £'000
CEX/SAV/01	Restructure of Senior Managers	The achievement of this target will be dependent on the affected senior managers across the Council leaving on time.	810	810	-
CEX/SAV/02	Restructure of Policy Teams	Savings on target and affected staff have now left the organisation.	932	932	-
CEX/SAV/03	Restructure of Legal and Democratic services	Savings on target posts deleted, and affected staff have left Authority.	147	147	-
CEX/SAV/04	Merging Payroll and HR Support	Service currently being delivered by Elevate East London. The business case indicates that the only savings achievable will be £78k.	114	78	36
CEX/SAV/05	Reduction in spending on strategic HR	£100k of this savings target is subject to a review of Learning & Development spend across the departments which has been submitted to CMT for comment. If the review is agreed by CMT, department's budgets will	150	50	100
Feb 2011 Assembly	CE Review – M&C	Saving on target at this stage. Income target increased by £100k – but remains the biggest risk for the team. However if The News is as successful as last year, then the target will be fully met.	147	147	-
Total			2,300	2,164	136

This page is intentionally left blank

HOUSING REVENUE ACCOUNT MONITORING STATEMENT SEPTEMBER 2012/13

HOUSING REVENUE ACCOUNT	Outturn 2011/12 £'000	Original Budget £'000	Working Budget £'000	Projected Outturn £'000	Projected Variance £'000
Rents	(77,953)	(83,017)	(83,017)	(83,564)	(547)
Non Dwelling Rent	(2,484)	(2,574)	(2,574)	(2,440)	134
Other Income	(15,103)	(17,098)	(17,152)	(17,140)	12
Capitalisation of Repairs	(1,625)	(1,000)	(1,000)	(1,000)	-
Repairs and Maintenance	20,999	20,043	20,522	20,748	226
Supervision and Management	(233,356)	34,643	34,218	35,347	1,129
Rent Rates and Other	1,341	920	920	920	-
Depreciation	14,697	14,875	14,875	14,875	-
Bad Debt Provision	1,002	992	992	900	(92)
Interest Charges	1,296	9,685	9,685	9,360	(325)
Corporate & Democratic Core	811	811	811	811	-
Interest	(526)	(93)	(93)	(448)	(355)
Revenue Contribution to Capital	-	14,013	14,013	13,831	(182)
Repayment of Debt	-	7,800	7,800	7,800	-
Subsidy	21,057	-	-	-	-
Pensions	113	-	-	-	-
HRA Borrowing	265,912	-	-	-	-
Contribution to HRA Reserve	(3,819)	-	-	-	-

This page is intentionally left blank

Forecast Capital Programme Outturn September 2012/13

Project No.	Scheme	Budget £'000	Actual £'000	Forecast Spend £'000	Variance £'000
Adult & Community Services					
1654	Ripple Hall (St Georges/Vol Group Relocation)	245	49	50	195
191	Eastbury House	11	2	11	
2233	Valence Site Redevelopment	54	19	54	
2872	Fews Lodge Extra Care Scheme	577	313	577	
100	Disabled Adaptations (HRA)	494	245	494	
2888	Direct Pymt Adaptations	380	117	380	
2913	80 Gascoigne Road Care Home	327		327	
2266	Barking Park Restoration & Improvement	809	681	808	1
2768	Abbey Sports Centre (Wet Side Changing Areas)	9	6	9	
2603	Becontree Heath Leisure Centre	249	92	334	(85)
2815	Goresbrook Leisure Centre - Olympic Training Venue	20		2	18
2855	Mayesbrook Park Athletics Arena	796	416	796	
2870	Barking Leisure Centre 12-14	2,135	505	2,135	
Total For Adult & Community Services		6,106	2,445	5,977	129

Project No.	Scheme	Budget £'000	Actual £'000	Forecast Spend £'000	Variance £'000
Children's Services					
	New Schools Places - Primary	14,580		14,580	
2555.01	Eastbury	113	5	113	
2745	George Carey CE Primary School (formerly Barking Riverside Pri	940	(91)	940	
2736	Roding Primary School - Cannington Road Annex	216	2	216	
2759	Beam Primary Expansion	98	3	98	
2799	St Joseph's Primary - expansion	356	274	356	
2800	St Peter's Primary - expansion	34		34	
2776	Thames View Infants - London TG Agreement	76	36	76	
2787	Cambell Junior - Expansion & Refurb	31	13	31	
2786	Thames View Juniors - Expansion & Refurb	468	86	468	
2784	Manor Longbridge (Former UEL Site)	576	235	576	
2789	Westbury - New Primary School	223	90	223	
2790	St Georges - New Primary School	91	132	91	
2906	School Expansion SEN Projects	550		300	250
2909	School Expansion Minor Projects	550	219	550	
	New Schools Places - Various Schools/New Schools	216		216	
	New Schools Places - Various Secondary Schools	14,000		14,000	
	Provision of New School Places (Basic Needs) Contingency	752		752	
2793	SMF - School Modernisation Fund 09-12	2,493	1,477	2,237	256
2742	Youth Access Card	43	10	43	
2751	School's Kitchen Extension/Refurbishment 10/11	36	17	36	
2724	Basic Needs Projects (formerly Additional School Places)2011/12	62	(189)	62	
2581	Schools Legionella Works	27	2	27	
2808	Schools L8 Water Quality Remedial Works 2010/11	9		9	
2809	Schools Reboiler & Repipe Fund	48	10	48	
2807	Schools Asbestos Management & Removals 2010-11	2		2	
2310	William Bellamy Childrens Centre	6	(14)	3	3
2311	Becontree Childrens Centre		(232)		
2217	John Perry Childrens	10	(5)	10	
2651	Alibon Childrens Centre	(9)		18	(27)
2739	Gascoigne Community Centre	(8)			(8)
2826	512a Heathway - Conversion to a Family Resource	84	21	84	
2878	512a Heathway (phase 2)- Conversion to a Family Resource with	117	152	117	
9999	Devolved Capital Formula	1,614	469	1,614	
2818	Sydney Russell - Schools For The Future	11,383	6,692	11,383	
2859	Robert Clack Expansion	11	10	11	
2860	Monteagle Primary (Quadrangle Infill)	1,797	1,223	1,797	
2861	Eastbury Primary (Expansion)	750	205	749	1
2863	Parsloes Primary (Expansion)	1,310	1,180	1,310	
2864	Godwin Primary (Expansion)	300	158	300	
2865	William Bellamy Infants/Juniors (Expansion)	750	145	750	
2866	Dagenham Village Rectory Road Library (Expansion)	200			200
2867	Southwood Primary (Expansion)	1,251	1,165	1,450	(199)
2900	Becontree Primary Expansion	275	160	275	
2601	Renewal School Kitchens 2009/10				
2753	Cross-Government Co-Location Fund				
2365	Gascoigne Primary				
2918	Roding Cannington	90		90	
2919	Richard Alibon Expansion	75	13	75	
2920	Warren/Furze Expansion	90		90	
2921	Manor Infant Jnr Expansion	100	4	100	
2922	Valence Halbutt Expansion	50		50	
2923	Rush Green Expansion	15		15	
2924	St Josephs Primary Extn	1,680	499	1,550	130
2929	SMF 2012/13	700	3	700	
2723	Advanced Skills Centre	3,344	2,686	3,344	
Total For Children's Services		62,575	16,865	61,969	606

Project No.	Scheme	Budget £'000	Actual £'000	Forecast Spend £'000	Variance £'000
Housing and Environment					
	HRA Business Plan HRA 2012/13 Unallocated	25,237		25,237	HRA Business Plan 2012/13 also includes £4.943m for Boroughwide Estate Renewal reported under Finance & Resources
104	Housing Futures	1,898			1,898
2734	SAMS formerly remote concierge	70	18	70	
2637	DH works Framework contracts	5	2	5	
2640	Major Works (Enterprise) Proj.	554	554	554	
2641	Heating works (Thaxted, Maxey & Humphries Houses)	65	63	65	
2645	Planning and Contingencies		52		
2727	CHP Programme	24		24	
2728	Electrical Switchgear Project	271	169	271	
2725	Extensions and deconve		(13)		
2822	Communal Lighting and Electrical Switchgear	510	417	510	
2726	External Enveloping Work	251	(15)	251	
2730	Sheltered Alarms Upgrade	11		11	
2731	Cole & Mersea Blocks	1,344	1,088	1,344	
2811	Capitalised Improvement Works	91	62	91	
2813	Estate Improvement Project	393	309	393	
2824	Oldmead & Bartlett Remedial Works	103	82	82	21
2844	Door Entry Project 11/12	1,581	32	1,581	
2845	External Enveloping & Fire proofing project	2,532	1,050	2,532	
2846	Defective Overflow Works	15		15	
2847	Central Heating Installation	1,871	607	1,871	
2848	Kitchen & Bathroom Replacement Project	1,676	1,372	1,676	
2849	High Rise Surveys	997	2	997	
2850	Capitalised Improvement works (Estates)	500	171	500	
2853	Estate Improvements	154	81	154	
2852	Adaptations - Housing	79	52	79	
2880	Central Heating Installation Phase 2	101	33	101	
2881	Kitchen, Bathroom, Central Heating and Rewire	1,884	1,718	1,884	
2882	Electrical Rewiring	326	34	326	
2772	King William St Qtr	80	3	80	
2773	Council Housing & Thames	1,400	1,055	1,400	
2757	Council Housing - New Builds	237	(39)	237	
2823	New Council Housing Phase 3	1,569		1,569	
2917	Abbey Road CIQ	500		500	
Total HRA		46,329	8,959	44,410	1,919
106	Private Sector Households	1,054	438	1,054	
105	Private Sector Households (105)	230	169	230	
2570	Housing Modernisation Programme	32	21	32	
	Highways - (Non-TFL)	2,500		2,500	
2288	Land Quality Inspection Programme	20	2	2	18
2764	Street Light Replacing	1,186	254	1,186	
2842	Flats recycling banks scheme		14		
2777	SNAPS	47		47	
2836	Road Safety Improvement Schemes (TFL)		35		
2873	Environmental Improvements and Enhancements	168	190	172	(4)
2894	Road Safety Impv Sch Year 2 (TFL)	96	18	96	
2887	Frizlands Wkshp Major Wks	175	24	175	
2886	Parking Strategy Imp	9	(34)	9	
2907	Leys Road Reconstruction 12-13	215	177	215	
2908	Brown Wheeled Bins Recycling	1,123	27	1,104	19
2421	Staff Costs 12/14	39		39	
2423	Pondfield Park	8		8	
2567	Abbey Green Park Development	22	3	22	
2604	Valence Park Improvements	15	4	15	
2326	BTC Public Art Project	5	3	5	
2817	Mayesbrook Park Improvements (Phase 1)	100	29	97	3
2879	Barking Park Light Railway & Rowing Boat Equipment	25	25	25	
2911	Quaker Burial Ground	60		8	52
2912	Barking Park Tennis Project	150		150	
2925	Adizone Project 12-13	310		310	
Total For Housing & Environment		53,918	10,358	51,911	2,007

Project No.	Scheme	Budget £'000	Actual £'000	Forecast Spend £'000	Variance £'000
Finance & Resources					
2820	Boroughwide Estate Renewal - Gascoigne Decants	585	205	585	
2828	Boroughwide Estate Renewal - Leys Decants	155	181	155	
2829	Boroughwide Estate Renewal - Goresbrook Village Decants	460	328	460	
2856	Boroughwide Est Renewal - Leaseholders Buybacks (all)	5,185	3,497	5,185	
2857	Boroughwide Est Renewal - Demolition (all)	713	94	713	
2858	Boroughwide Est Renewal - Demolition	1,653	22	1,653	
2915	Boroughwide Estate Renewal - Althorne Way	155		155	
Total Boroughwide Estate Renewal		8,906	4,327	8,906	
2741	L8 Control of Legionella Remedial Works	250	8	250	
2578	Asbestos (Public Buildings)	54	4	54	
2771	Automatic Meter Reading Equipment	25		25	
2542	Backlog Capital Improvements	670	28	670	
2565	Implement Corporate Accommodation Strategy	1,001	470	1,001	
2458	New Dagenham Library & One Stop Shop	40	16	40	
2587	Energy Efficiency Programme	280	57	280	
2623	Microsoft Enterprise Agreement	89		89	
2738	Modernisation & Improvement Capital Fund	2,524	245	2,525	(1)
2877	Oracle R12 Joint Services	3,494	604	2,347	1,147
2596	Legi Business Centres	341	35	341	
2717	Retail Premises Imp				
2579	Barking Town Square (Phase 2)		(3)		
2585	London Rd Market Square		9		
2774	Barking Town Centre - Low Carbon Emission (TFL & GLA)				
2775	BTC Public Realm - Tsq & Abbey	30	2	30	
2821	Shopping Parade Enhancements	342	13	362	(20)
2625	Thames View Regeneration (formerly East End Thames View Demolition)	25	2	25	
2819	London Road/North Street Site Acquisitions	897	31	897	
2830	TFL, LIP Funding 2011/12		1		
2831	Barking Station Forecourt - Phase 2 Implementation (TFL & S106)	206	125	206	
2833	Mayesbrook Park Acces (TFL)		4		
2834	Merry Fiddlers Junction (TFL)		(8)		
2838	Minor Works (TFL) Local Tran Fund		6		
2840	Car Club Expansion (TFL)	6		6	
2841	Biking Borough Initiative (TFL)	115	67	115	
2854	Improvements to the rear of The Mall, Dagenham Heathway	223		223	
2306	Barking Town Centre & Lintons				
2871	New Market Square (Barking)		(71)		
2901	Creekmouth Arts & Heritage Trail	50		50	
2902	Short Blue Place (New Market Square Barkin - Phase II)	1,088	454	1,088	
2890	Principal Road Resurfacing (TFL)	473	199	473	
2891	Merry Fiddlers Jnct Imp Year 2 (TFL)	442	33	442	
2892	Cycling Greenways Year 2 (TFL)	96	87	96	
2893	Thames Road Corridor Improvement Scheme (TFL)	240	214	240	
2895	Chadwell Heath Station Impv (TFL)	288		288	
2896	Dagenham Heathway & Bcon - Low Carbon Zone (TFL)	48		48	
2897	Smarter Travel Plans (TFL)	202	88	202	
2898	Local Transport Plans (TFL)	96	48	96	
2899	River Roding Cycle Link (TFL)	240		240	
2910	Barking Stn Parade Assessment	60		60	
2914	Barking Job Shop Relocation	235		235	
2916	Lawns & Wood Lane Dvlpmnt	300	39	300	
2926	Outer London Fund Round 2	290	114	225	65
2927	Chequers/Abbey Road Public Realm improvements	431		431	
2928	Captain Cook Site Acquisition and Public Realm Works (Abbey Le Capitalisation of Redundancies)	820	3	820	
		3,000		3,000	
Total For Finance & Resources		27,917	7,251	26,726	1,191
GRAND TOTAL		150,516	36,919	146,583	3,933

Explanations for Significant Variances on Capital Projects

Adults & Community Services

- Ripple Hall (£195k under spend) – these savings were identified by project sponsor and achieved through reduced fit out costs.

Children's Services

- School Expansion SEN projects (£250k slippage under spend) – delayed works resulting in budget to be reprofiled to 2013-14.
- School Modernisation Funds 09-12 (£256k slippage underspend) – works delayed to 2013-14 due to works being carried out when children are on holidays.
- Dagenham Village Rectory Road Expansion (£200k slippage under spend) – project on hold; discussions ongoing with Diocese on scope of work to be carried out.
- Southwood Primary Expansion (£199k slippage underspend) – budget to be reprofiled to 2013-14 for final account & retention payments.
- St Josephs Primary Barking (£130k slippage underspend) – Budget to be reprofiled to 2013-14 for final account & retention payments.

Housing and Environment

HRA self-financing has resulted in much larger revenue surpluses than under the previous subsidy regime and therefore it has been important to ensure that these surpluses have been utilised adopting a best-value approach.

The Business Plan for 2012/13 was only approved by Cabinet in March 2012 and this plan contained provisional estimates for spend across the three major investment streams: Capital works programme; New Build and Estate Renewals.

Savills were required to undertake various revisions of their proposed capital works investment requirements and this work was finalised in June of this year. The findings were presented to the July Cabinet where it was agreed to

undertake an 18-month, rather than an annual, programme for the first year. This has led to a delay in the commencement of a large part of the Capital Works programme but this was essential to ensure that works undertaken were in line with the Savills findings.

The overall programme for housing investment agreed by Members in July is over a 10-year time frame and therefore delivery of these schemes will be smoothed over the ten-year period. This smoothing results in an additional year end balance in the Major Repairs Reserve (within the HRA) of £32million and ensures that the programme can be delivered in a managed, consistent manner.

After re-profiling £32m into 2013/14 the only significant variance is as follows:

- Housing Futures (£1,898k under spend) – over arching contingency budget which will be allocated if designs for specific new schemes are developed or if over spend on existing schemes occurs.

Finance & Resources

- Oracle R12 (£1,147k slippage under spend) – funds to be re-profiled into 2013/14 because of changes in the agreed date for the project going live.

CABINET

13 November 2012

Title: Governance Arrangements for Barking and Dagenham Reside and Associated Proposals for the Housing Allocations and Lettings Policy	
Report of the Cabinet Members for Housing and Regeneration	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Ken Jones, Divisional Director of Housing Strategy Andrew Sivess, Group Manager Programmes and Projects	Contact Details: Tel: 020 8227 5703 E-mail: ken.jones@lbbd.gov.uk E-mail: andrew.sivess@lbbd.gov.uk Tel: 020 8227 5732
Accountable Divisional Director: Ken Jones, Divisional Director of Housing Strategy	
Accountable Director: Darren Henaghan, Corporate Director of Housing and Environment	
<p>Summary:</p> <p>Cabinet received a report on 14 December 2011 (William Street Quarter and Eastern End Thames View Disposal and Delivery Option) and approved the entry into the contractual arrangements to deliver the project including the acquisition of all of the shares in Thames Partnership for Learning Regeneration 2 Limited (TPFLR 2 Limited) so that it would become a wholly owned subsidiary of the Council accounted for within the General Fund to facilitate the regeneration of land at King William Street and Eastern End Thames View.</p> <p>The subsidiary company is now to be called Barking and Dagenham Reside Limited (the Company), and is registered at Companies House with the Council being the sole shareholder. Construction of the 477 homes across both sites has commenced and handover of units will be on a phased base as follows:</p> <p>EETV: December 2013 – June 2014 King William Street: December 2013 – May 2014</p> <p>The company (as landlord of the dwellings once constructed) is responsible for the letting, management and maintenance of the 477 dwellings to be constructed. The Council has entered into a guarantee with the external private funder (Atlantic) to guarantee the performance of the Company's obligations including the repayment to the funder through the lease payments from the company to the funder. This report seeks approval for the proposed governance and lettings arrangements of the company to enable the effective management of the sites. The role of the company's board will be to undertake all activities required to fulfil the Council's contractual obligations particularly with respect to:</p> <ul style="list-style-type: none"> • Effective letting and management of the homes and estates • Discharge the contractual obligations of the company and Council to the funder in 	

respect of lettings, maintenance and rent payment guarantees

- Effective risk management.

It is vital that these contractual obligations are fully adhered to so that the Council's guarantee need not be called on. Effective governance in the company is therefore crucial.

This report also proposes a policy change in relation to the allocations and lettings arrangements for the supply of new Barking and Dagenham Reside and Council homes which will be let at above social rent levels. The objective is to target these properties to local people who are in employment.

Recommendations

The Cabinet is recommended to:

- (i) Approve the following nominations to the governing board of Barking and Dagenham Reside:
 - a. Cabinet Member for Housing
 - b. Cabinet Member for Regeneration
 - c. Cabinet Member for Finance
- (ii) Approve the following additions to the Council's "More Choice in Lettings" Housing Allocations and Lettings Policy, in accordance with the Homes and Communities Agency affordable housing policy:
 - a. That new Council and Barking and Dagenham Reside homes to be let at social rent level or at 50% of local market rent be made available for tenancy in line with the current, standard Housing Allocations policy;
 - b. That new Council and Barking and Dagenham Reside homes to be let at levels above social rent or 50% local market be made available for tenancy in line with the criteria set out in paragraphs 2.3.2 and 2.3.3 of this report.
- (iii) Note that the Annual Business Plan of Barking and Dagenham Reside will be presented to Cabinet each year as part of the budget setting process and will be part of the process to allow the Council to exercise its role as the sole shareholder of the company; and
- (iv) Agree the change of name of the company to Barking and Dagenham Reside Limited and authorise the Corporate Director of Housing and Environment to sign the sole member's written resolution to that effect.

Reason(s)

To assist the Council in meeting the Policy House aim regarding Housing and Regeneration and in particular the objective regarding "a borough with more affordable housing for local residents".

1. Introduction and Background

- 1.1 Cabinet approved (see Cabinet minute: 84, 14 December 2011) contract terms negotiated by officers and the acquisition of all the shares in a wholly owned subsidiary company. The structure involved the establishment of a special purpose vehicle structure for the construction of 477 new homes to be built at King William Street and Eastern End Thames View. In addition, the Company will be the landlord of all of the constructed dwellings.
- 1.2 The Company has now been established and is registered at Companies House. Construction of the 477 units across both sites has commenced. Of these just over 20% will be let at 50% of the local market rent (Council current rents are about 45% of a market rent), just over 6% will be let at 65% of the local market rent and just under 74% will be let at 80% of a local market rent. All of these would be considered to fall within the Government's definition of an affordable rent.
- 1.3 The 50% market rent properties will be let as Assured Shorthold Tenancies on a 10 year fixed term with a policy presumption that a new tenancy will be granted upon termination of the 10 year fixed term. The remainder will be let as Assured Shorthold tenancies and tenants will be given the option of letting on a 5 year basis (normal private rented sector properties would be let as assured shortholds on a 6 month basis). Assured shorthold tenants of the 65% and 80% rented homes will be required to be in employment and have sufficient income so that the rent will take up no more than 35% of their net joint household income. All the properties will be managed by the Council's Housing Service and this is achieved through a housing management contract between the Company and the Council.
- 1.4 The table below summarises the strategic objectives of the Council that were met by the Council entering the project.

No	Strategic Outcome
1	Maximise proportion of social rent homes and affordable tenures
2	Ensure speed and certainty of delivery
3	Maintain design, sustainability (code level 4) quality and space standards
4	Ensure local accountability and developing capacity within the community
5	Maximise long-term returns to the Council and community

- 1.9 This report also proposes a policy change in relation to the allocations and lettings arrangements for the supply of new Barking and Dagenham Reside and Council homes which will be let at above social rent levels. The objective is to target these properties to local people who are in employment.

2. Proposal and Issues

2.1 Barking & Dagenham Reside - scope of business

- 2.1.1 The table below summarises the scope of activity of Barking and Dagenham Reside.

No.	Function	Legal context
1	Housing Management. Allocations and lettings	<ul style="list-style-type: none"> • Barking and Dagenham Reside will be responsible for all lettings arrangements • Barking and Dagenham Reside will be responsible for all housing management functions • Barking and Dagenham Reside will be responsible for agreeing and implementing all landlord related policies and key performance indicators (KPIs) • Barking and Dagenham Reside will report on business plan performance to Cabinet
2	Responsive repairs	<ul style="list-style-type: none"> • Barking and Dagenham Reside will be responsible for all responsive repairs, including estate caretaker services
3	Cyclical repairs	<ul style="list-style-type: none"> • Barking and Dagenham Reside will be responsible for all cyclical maintenance, e.g. gas servicing
4	Major works repairs	<ul style="list-style-type: none"> • Barking and Dagenham Reside will be responsible for all major works repairs e.g. new kitchens and new windows

2.2 Barking and Dagenham Reside Board activities

2.2.1 The directors of the Board will be responsible for setting the strategy and framework under which the following activities and programme of work will be delivered.

Business Plan	<ul style="list-style-type: none"> • Business plan formulation, adoption, management and reporting
Financial management	<ul style="list-style-type: none"> • management and financial management within project financial model • rent setting • rent collection • payments to Funder
Housing management	<ul style="list-style-type: none"> • policy • lettings and marketing • tenancy management • repairs and maintenance
Risk management	<ul style="list-style-type: none"> • identification, management and mitigation of all business and project risks
Reporting	<ul style="list-style-type: none"> • performance reporting to Cabinet • audit, signing of accounts and filing of accounts with companies house

2.2.2 Although the Company is a separate and distinct legal entity from the Council, it is wholly owned by the Council and would therefore not be regarded as an 'outside body' for the purposes of the Council's constitution and so the nomination of representatives to the board of the company is not a matter reserved to the Assembly.

2.2.3 It is proposed that the directors of the Board are the Cabinet Members for Housing, Regeneration and Finance. The Corporate Director of Housing and Environment and other officers including the Divisional Director of Housing Strategy and the Divisional Director of Finance would be advisors to the Board.

- 2.2.4 The nominees will become directors of the company and as such they will have a number of duties as company directors, including the duty to promote the success of the company. In a commercial company it is normally the success of the company for the benefit of its members that should guide board directors. As the Council is the sole shareholder of the company it is unlikely that there will be any practical distinction between a board director acting to promote the success of the company and at the same time acting in the best interests of the Council as sole shareholder.
- 2.2.5 It is necessary to put in place arrangements for exercising the Council's functions as sole shareholder of the Company. . The reason for this is that although the Cabinet is nominating members to become directors of the company it is the Council as a corporate member who is the sole shareholder of the Company. Decisions taken at general meetings therefore need to be passed by the Council as shareholder.
- 2.2.6 This role will be carried out by the Cabinet who will receive an annual report describing the Business Plan for Barking and Dagenham Reside. Any decision required to be taken by the Council as sole shareholder will be exercisable by the Cabinet.

2.3 **Allocations and Lettings Policy**

- 2.3.1 The houses and flats with rents at 50% market rent will be advertised in the Choice Homes magazine and on the website. Housing waiting list applicants will have the option to bid for these properties and they will be considered in accordance with the Council's Housing Allocations Policy.
- 2.3.2 For homes with rents at 65% and 80% of market levels it is proposed that the following cascade of priorities for letting the 65% and 80% rented homes is adopted:
- Employed tenants of the Council and tenants of housing associations living in the Borough
 - Employed Housing waiting list applicants living in the Borough
 - Employed residents of the Borough
 - People in employment in the Borough but who are not currently resident
 - People in employment from outside the Borough
- 2.3.3 In addition the following criteria will be used to assess applicant eligibility in the categories above:

Income ceiling	It is important to ensure that the homes are affordable for tenants. In view of this all lettings of the 65% and 80% homes will be to applicants in employment whose joint household net income is such that the rent represents a maximum of 35% of the net income. There will also be a maximum income level for each type of let.
Employment	Each successful applicant will need to demonstrate that they are employed and have sufficient income to cover the rent. There are no concessions for LBBB staff.
Residential qualifications	In the first instance, aside from existing Council tenants, applicants for the 65% and 80% homes will be required to live in the Borough for 5 years. If there is insufficient demand then resident in the borough without time constraint will be considered followed by non residents.
Deposit	A rent deposit will be taken at time of application in respect of the 65% and 80% homes, together with a non returnable administration fee. Financial references will also be required.

2.3.4 National research has shown that two-thirds of potential first time buyers have no realistic prospect of owning their own home in the next 5 – 10 years and lack the long term saving potential needed to get on to the housing ladder (“Generation Rent,” Halifax Building Society, National Centre for Social Research, 2011). In Barking and Dagenham this position is not only reflected but actually accentuated by key socio-economic conditions, particularly low wages and a relatively high affordability gap. With the average house price at £208,927 and average monthly rent for a two bedroom property at £884 per month (Land Registry HPI), the affordability of housing for local residents is a real challenge - the average property costing over six and a half times the average household income for the borough, £32,200 (CACI PayCheck data).

2.3.5 By re-focussing our allocations policy we are therefore in a position to deliver tangible and long lasting community benefits including social rent and a much wider range of housing options for local people in work. This approach allows us to deliver a key Housing Strategy target of genuinely mixed income communities living in truly affordable and sustainable housing.

2.4 Future Council Housing developments

2.4.1 In future Council Housing HRA developments there will also be homes let at levels above the 50% of local market figure, as was agreed by Cabinet in the HRA Business Plan. It is proposed that the criteria for the Barking and Dagenham Reside lettings set out above, will also apply to these new Council homes to be let at higher affordable rents.

2.4.2 This will ensure that local people in employment will have increased housing options at a time when accessing home ownership in the Borough and across London is very difficult for households on average incomes.

3. Options Appraisal

3.1 A full options appraisal was presented in the report to Cabinet on 14 December 2011.

3.2 In terms of the allocations proposals contained in this report, an alternative option would be to let 65% and 80% rented homes to applicants from the housing waiting list and homelessness applicants. However, this would not achieve the Council's objective of creating mixed income sustainable communities. In addition if these homes were let at higher rent levels and were let to people in receipt of housing benefit, with the introduction of housing benefit caps and Universal Credit these households could experience financial hardship.

4. Consultation

4.1 The Cabinet Members for Housing and Regeneration have been involved in this project and formulation of the report. There has been consultation with Members via the Housing Asset Management group which is convened by the Cabinet Member and the Barking and Dagenham Housing Forums, comprising tenants, leaseholders and Ward Members.

4.2 The following have also been consulted in the preparation of this report:

- Head of Legal and Democratic Services
- Corporate Director of Housing and Environment
- Divisional Director of Finance

5. Financial Implications

Implications completed by: Jonathan Bunt, Divisional Director of Finance

5.1 Financial model summary and key assumptions

5.1.1 The board of Barking and Dagenham Reside will be responsible for managing the business within the project financial model negotiated for the project. The model was audited independently and is considered robust. It will form the financial basis of Barking and Dagenham Reside's business plan.

5.1.2 The key financial aspects of the Barking and Dagenham Reside business plan were detailed in the Cabinet of 14 December 2011, which covered the viability and funding assumptions.

5.2 Accounting Requirements

5.2.1 As a subsidiary of London Borough of Barking & Dagenham, the subsidiary company will need to prepare its own set of audited accounts to comply with the Companies Act, but also form part of the consolidated group accounts of the parent organisation.

6. Legal Implications

Implications verified by: Eldred Taylor-Camara, Legal Group Manager

- 6.1 The Council has been advised throughout this project by Trowers & Hamblins LLP who have provided the following comments on the legal implications of this proposal.
- 6.2 **Powers**
 - 6.2.1 As confirmed when the Cabinet approved entry into the transaction, the Council has the power to enter into the proposed transaction.
 - 6.2.2 At the time Cabinet approved entry into the transaction and on the actual date of entry (17 February 2012) the two principle sources of Council power were Section 2 of the Local Government Act 2000 (the well-being power) and Section 111 of the Local Government Act 1972. On the 18 February 2012 section 2 of the Local Government Act 2000 was repealed and replaced with the general power of competence in section 1 of the Localism Act 2011. The general power of competence is considered wider than the well-being power.
 - 6.2.3 Although the Company is a separate and distinct legal entity from the Council, it is wholly owned by the Council and would therefore not be regarded as an 'outside body' for the purposes of the Council's constitution and so the nomination of representatives to the board of the company is not a matter reserved to the Assembly.
 - 6.2.4 The nominees will become directors of the company and as such they will have a number of duties as company directors, including the duty to promote the success of the company. In a commercial company it is normally the success of the company for the benefit of its members that should guide board directors. As the Council is the sole shareholder of the company it is unlikely that there will be any practical distinction between a board director acting to promote the success of the company and at the same time acting in the best interest of the Council as sole shareholder.
 - 6.2.5 The Local Authorities (Indemnities and Officers) Order 2004 provides the Council with the power to provide an indemnity for members and officers when nominating them as directors to the Company. This includes the power to pay for directors' indemnity insurance. On a practical basis the company already has in place such directors' indemnity insurance to provide the appropriate protection for the nominated members and officers so no separate insurance policy would be required.
 - 6.2.6 Cabinet is recommended to receive an Annual Business Plan that will include matters where decisions need to be taken by Cabinet for the purposes of exercising the Council's functions as sole shareholder of the Company. The reason for this is that although the Cabinet is nominating councillors to become directors of the company it is the Council as a corporate member who is the sole shareholder of the Company.

6.3 Allocations Policy

6.3.1 In agreeing the Allocations and Lettings policy (which would be a local lettings policy for certain types of accommodation) the Council needs to be satisfied that it can continue to meet its statutory obligation to ensure that reasonable preference in the allocation of accommodation is awarded to the categories of persons set out in Section 167(2) of the Housing Act 1996. These are:

- (a) people who are homeless (within the meaning of Part 7);
- (b) people who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3);
- (c) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- (d) people who need to move on medical or welfare grounds [(including grounds relating to a disability)]; and
- (e) people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

6.3.2 The scheme may also be framed so as to give additional preference to particular descriptions of people within this subsection (being descriptions of people with urgent housing needs).

6.3.3 However local lettings policies are permissible under section 167(2E) provided the reasonable preference categories can still be met in the allocation generally of accommodation. This section provides that:

Subject to subsection (2), the scheme may contain provision about the allocation of particular housing accommodation—

- (a) to a person who makes a specific application for that accommodation;*
- (b) to persons of a particular description (whether or not they are within subsection (2))*

7. Other Implications

7.1 **Risk Management** - The Barking and Dagenham Reside board will adopt a comprehensive risk management strategy to help deliver the objectives of the business. The risk management strategy will be adopted by the board and will form an integral part of the Barking and Dagenham Reside business plan.

7.2 **Contractual Issues** - Construction of the sites has been procured by the BSF LEP on the basis of fixed price turnkey contracts and construction underway.

As part of the proposals the Council has entered a development agreement with the wholly owned subsidiary of the BSF LEP which imposes step-in rights and obligations on the Council that, in the event of irremediable default or insolvency, will allow the Council to step in and complete the development. This means that the Council would need to appoint another contractor for one or both sites from the Council's own contractor Frameworks. In this eventuality the project funding would be made available directly to the Council by the Funder under the terms of the project agreements.

- 7.3 **Staffing Issues** - A cross-departmental project team has been established to ensure an integrated approach to the delivery of the developments ensuring that the needs of the residents and wider stakeholders are fully met and that all legal, financial and property issues continue to be considered.
- 7.4 **Customer Impact** - Consultation was undertaken as part of the planning process for both sites. Consultation was widely undertaken on the Lintons Estate before its demolition and these results were used to shape the design proposals submitted for planning permission at King William Street Quarter. Consultation was also carried out at Thames View for the Thames View master plan process and this also helped shape the design proposals submitted for planning permission.

In April 2009 an Equalities Impact Assessment was undertaken for Thames view. The main aim of this was to understand the impact of regeneration and renewal in the Thames View estate area. The new housing development will play an important and fundamental role in the regeneration of Thames View and, along with the anticipated investment programme to the existing estate under Housing Revenue Account self-financing proposals, will enhance the estate and help return a lost sense of community in this once thriving estate. The master plan consultation also raised future aspirations by the local community for more modern community facilities, youth activities, and place of worship for the Muslim community, possible leisure facilities and better shops, cafes etc for Farr Avenue.

Community facilities were identified as being important for both sites. As both sites have been vacant for some time, new residents moving in will put extra pressure on existing resources, however both sites lack access to community facilities. In the original master plan for both sites, floor space for community space has been identified to provide such facilities and that these are accessible for those groups identified as requiring the facilities as part of the EIA process.

The scheme provides 95 properties that are close to a social rent and will help assist with relieving the pressure on the Council's housing waiting list. In addition there will be households on the Council's waiting list who will be able to afford the 80% rent units should they so choose.

The scheme provides high quality lettings at both 65% and 80% of market rent for those who would not normally be able to gain access to housing as housing list applicants. Again this allows us to tackle the problems of "Generation Rent" head-on by providing aspirational housing for those in work but who are shut out of the local housing market. A significant customer impact of the Barking Reside scheme is therefore the creation of truly mixed income and sustainable communities. With wider choice and more options we are supporting and helping local working people

move into the housing market and helping them on their way to a permanent housing solution and a permanent stake in the local community.

- 7.5 **Safeguarding Children** - The schemes being constructed have taken into consideration the needs of local communities with a focus on creating accessible spaces that allow for freedom of movement that benefits local people including children. In particular, the designs have addressed the provision of providing new and improved play facilities in the two areas of development.

Development of the sites will increase the pressure on school places in the Barking area. As part of the planning consent a tariff of £2,500 per unit was agreed, this funding will go towards the provision of new school places.

- 7.6 **Health Issues** - The development of these two sites will have a positive impact on residents by providing high quality residential accommodation at both social and sub-market rents. In particular, it will have a positive impact on ill health attributed to poor housing conditions and overcrowding due to a lack of housing in the Borough. The redevelopment of the sites will provide a safer and more secure environment where opportunities for crime are reduced and a host of public realm improvements make the area safer and more legible. General health and well being will be improved as a result of improved visual appearance of the sites thereby increasing civic pride. Overall, the development proposals will be expected to result in a benefit upon local well being and an improvement in the quality of life.

- 7.7 **Crime and Disorder Issues** - Section 17 of the Crime and Disorder Act 1998 places a responsibility on local authorities to consider the crime and disorder implication of any proposals.

Levels of crime and disorder vary between the sites and have been taken into consideration in the design of both schemes. Housing management policies will be developed in consultation with residents at both schemes to minimise and address crime and community safety issues.

- 7.8 **Property / Asset Issues** - There are no new land issues that need to be considered in this report.

Background Papers Used in the Preparation of the Report:

- Cabinet report and minute: William Street Quarter and Eastern End Thames View Disposal and Delivery Option, 14 December 2011
- "More Choice in Lettings" Housing Allocations and Lettings Policy

List of appendices: None

This page is intentionally left blank

CABINET

13 November 2012

Title: School Capital Programme - Basic Need Allocation 2012/13 Phase 2							
Report of the Cabinet Member for Children's Services							
Open Report	For Decision						
Wards Affected: All Wards	Key Decision: Yes						
Report Author: Mike Freeman, Group Manager School Estate and Admissions	Contact Details: Tel: 020 8227 3492 E-mail: mike.freeman@lbbd.gov.uk						
Accountable Divisional Director: Jane Hargreaves – Divisional Director Education							
Accountable Director: Helen Jenner – Corporate Director Children's Services							
<p>Summary:</p> <p>The Council faces a strongly growing demand for school places (Basic Need including (SEN)) that exceeds its current capacity over the coming decade. It also has an estate which has a significant backlog of repairs, and condition problems. It is forecast that by 2016/17 the demand for school places will exceed supply: in primary schools by approximately 570 reception places or 19 Forms of Entry (FE) and in secondary schools (ages 11-16) by approximately 437 year 7 places or 15FE. Demand for post 16 places is set to grow by approximately 470 places. These matters were reported to Cabinet on 10 May 2011 (minute 133 refers) and subsequently to Cabinet on 14 February 2012 regarding Phase 1 investment proposal (minute 109 refers), with updated statistics to August 2012.</p> <p>Central Government have allocated the following funds to support the Council's School estate and to provide for the additional capacity to support school place demand. The programme in this report support expansion of school place up to March 2014</p> <table border="0"> <tr> <td>○ Redirected Basic Need Allocation</td> <td>£23,914,831</td> </tr> <tr> <td>○ Basic Need Allocation</td> <td>£21,890,118</td> </tr> <tr> <td>○ Additional Basic Need</td> <td>£29,762,837</td> </tr> </table> <p>The redirected basic need is additional government money targeted to areas of highest need. Unlike other allocations it is not time bound. Further, the Additional Basic Need funding is allocated based in basic need data and where there are priorities. This report confirms the level of funding available for investment in Schools which is all supported by grant from the DfE. At the current time this investment is the only provision being made. There is no Council funding or costs to the Council for this programme.</p> <p>This report is the second of two designed to set out proposals for investment based on the outline investment matrix "Programme for Developing School Places" approved by Cabinet at its meeting on 18 October 2011 in a report entitled 'Strategy for Ensuring Sufficient School Places 2011/12 - 2016/17', minute 51 refers. This report seeks agreement to move forward with identified schemes to provide the additional reception forms of entry required from September 2013. The report presents some new schemes following consultation where it is felt investment is needed and schemes to provide additional primary and</p>		○ Redirected Basic Need Allocation	£23,914,831	○ Basic Need Allocation	£21,890,118	○ Additional Basic Need	£29,762,837
○ Redirected Basic Need Allocation	£23,914,831						
○ Basic Need Allocation	£21,890,118						
○ Additional Basic Need	£29,762,837						

secondary school places can be achieved.

The report also seeks support from Cabinet Members concerning the preferred procurement routes for individual schemes.

It is intended to review further the provision of SEN facilities across the Borough and look at the available nursery provision both for 2 year olds and those at 3 years of age and the provision of education nursery places in schools to form a more comprehensive plan. A subsequent report will come back to Cabinet in the new calendar year.

Recommendation(s)

The Cabinet is recommended to:

- (i) Approve the allocation of the remaining £60m basic need grant funding, provided by the DfE to help address the need for additional school places, and for this to be included in the Capital Programme for 2012-2013 to support the provision of additional school places between 2012 and 2014, and the programme of investment set out at 2.1 in the report and detailed at **Appendix 1** entitled Projected Spend Profile by Project.
- (ii) Note the successful bid to the Education Funding Agency – Young People’s Learning Agency to increase Trinity School’s sixth form provision and agree to increase the capital programme for the current year 2012/13 by £922,250. There is a separate report on the agenda setting out the necessary urgent action which the Chief Executive has taken to secure this project.
- (iii) Indicate a preference for the future use of the Fanshawe Crescent site currently being used by the Adult College, and as detailed in section 7 of the report.
- (iv) Approve the principle of funding for Warren Secondary School to improve the interface with the public and its presence on Whalebone Lane, and to set aside some funding from capital receipts to achieve this.
- (v) Approve the procurement routes for the necessary works, goods and services for the individual projects set out in Section 11.2 using the Council’s Construction Framework Contractors, Thames Partnership for Learning Limited (the Council’s Local Education Partnership (LEP)) or other approved procurement route for the current year projects to ensure that they will be operational for the academic year starting September 2013.
- (vi) To indicate whether it wishes to be further informed or consulted on the progress of the various procurement processes and award of the contracts for the projects, or whether it is content for the Corporate Director of Children’s Services, in consultation with the Chief Financial Officer and the Head of Legal and Democratic Services, to approve the procurement strategies and award the respective project contracts set out in this report and based on the checked and independently validated prices.

Reason(s)

This decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and achieving its core values of: 'Achieving Excellence' and 'Treating each other fairly and respectfully' through making school places available in appropriate settings.

1. Introduction and Background

1.1 The Council faces a strongly growing demand for school places (Basic Need including SEN) that exceeds its current capacity over the coming decade. It also has an estate which has a significant backlog of repairs, and condition problems. The school sites it has are, on the whole over developed with little space for new buildings. There are few new sites to cope with the level of prospective demand.

1.2 Set out below in the report is information covering the following:

- Current forecasts
- Projected need for investment
- Progress on the development programme
- Update Programme for Developing School Places inc Draft SEN Provision
- Free School Information
- Investment at Trinity – Education Funding Agency (EFA) Support.

2. Current Pupil Forecasts

2.1 Children's Services have recently completed the annual review of school place planning to provide details to the DfE which will support our claim for an annual Basic Need Grant. This is in the form of a statistical return providing information about each of our school's capacities.

2.2 The latest information from the Office of National Statistics about births shows no let up for the Borough. It has been well publicised that over the 10 years 2000-2010 births in the Borough increased by 50%. The forecast is for a further increase from 3,645 births in 2010 to 4,040 by 2015, thus in the 5 year period we can expect an 11% increase in births. This is one factor which impacts on demand for school places.

2.3 Other factors which influence demand include the transfer rate – birth to school – which has traditionally been below 100% for birth to reception year. However, between 2006/07 to 2011/12 this has varied between 100.1% to 106.2% (as per GLA birth figures released in January 2012). It is no longer therefore satisfactory to base our forecasts on births alone as clearly there is an impact of external influences as new families move into the Borough. We must therefore take into account the overall increase.

2.4 The figures for reception into Schools this September are 3,573 compared to 2011 of 3,472, a net increase of 101 or 3%. Looking forward the Reception projections are showing an increase from current 3,573 to 4,265 by September 2020 an increase of 672 or an additional 23 forms of entry. This is equivalent to opening a 3fe primary school each year allowing for a small amount of spare capacity.

- 2.5 Overall the primary pupil population has increased between 2000 and 2012 from 16,490 to 20,116 (May 12 PLASC) and in the next 10 years is forecast to increase to around 30,000, an increase of almost 50%. This is underpinned by a recent report from London Councils which shows that Barking and Dagenham have had the largest increase in DSG to support the increase in pupil numbers over the period 2009-2012.
- 2.6 Turning now to Secondary Schools it follows that the current numbers from Primary Schools will largely transfer to secondary schools in the Borough particularly as neighbouring Boroughs become less able to offer an alternative because they also have increasing rolls.
- 2.7 The figures entering Secondary Schools in the Borough are forecast to increase from 2185 to 3820 in the next 10 years. This is an increase of 1635 or 75%. These figures include new pupils coming from new housing (further to the housing targets set by Regeneration) and current migration trends.
- 2.8 Further analysis of this demand highlights that according to forecasts demand for secondary school places will increase as follows:

2012	Current Secondary School Capacity at YR7	2,490 pupils
	Projected Intake Sept 2012	2,264 pupils
	Spare Capacity	226 places
2017	Planned Secondary School Capacity at YR7 (includes)	3,210 pupils
	60 places at Jo Richardson	
	150 places at Barking Abbey	
	60 places at All Saints	
	180 places at Barking Riverside Free School	
	90 places at London Riverside (Bethel)	
	60 places at Sydney Russell	
	60 places at Robert Clack	
	60 places at Warren Comprehensive	
	60 places at Eastbrook	
	Total 720 places	
	Projected Intake Sept 2017	3,467 pupils
	Projected Shortfall	257 places

This clearly demonstrates a need to provide some additional spare capacity and the need for an additional school at secondary level and we are currently exploring site options and in principle opportunities arising from the regeneration of Gascoigne are being considered. It would be essential in meeting these forecast demands for school places that a site is identified and a school is ready for September 2017. The possible availability of a site through the regeneration of Gascoigne would respond to that need.

3. Projected need for Investment

3.1 Overview: Basic Need allocations:

Original Basic Need allocation 2011/12	£14.2m
Redirected Basic Need Nov 2011	£23.9m
Basic Need 2012/13	£21.9m
Additional Basic Need 2012/13	£29.8m
Total	£89.8m

Compared to a need for c£91.2m (£45.6m each year)

As in previous years the capital investment set out here has been funded via grants from government or other bodies, apart from that which schools have funded themselves. The strategy is to lobby government and apply for grants to secure the £45 million a year required. For the last two years this strategy has secured sufficient funds to meet need. The lobbying will continue.

3.2 Investment needed to meet demand for school places to 2016/17

1000 nursery places would cost approximately	c£14m
3990 (19FE) primary places would cost	c£ 57m
5100 (34FE) (11-16) secondary places would cost	c£ 90m
1000 Sixth form places would cost	c£20m
Special needs (ARPs plus Barking Riverside 160 places)	c£ 30m
Additional nursery places for 2 year olds	c£17m
Total investment needed in the region of	c£228m

(About £45.6m per year to deal with meeting demand for school places.)

3.3 **PFI bids** under the Priority Schools Building Programme (PSBP) for Eastbury and Eastbrook secondary schools have been successful. PSBP is aimed principally at dealing with condition: but this contributes also to meeting need for 4FE or 120 places at primary schools and 2FE at Secondary schools or approximately £12m of investment from the above total. The Council has just been advised that in terms of these schemes the expected commencement is now 2015, and representation is being made to try and bring these projects forward.

3.4 Free Schools – at the end of the summer term the DfE advised that two schools had been approved in principle to become Free Schools from September 2013.

The Riverside Co-operative Free School

A 1,824 place 11-19 Secondary School (10fe School plus sixth form).

The London Riverside School

A 1,448 place all - through School (3fe School 4-16 years).

These schools will obviously contribute to satisfy demand but at present there are issues about sites which need to be satisfied and the Secretary of State will require a formal agreement to be signed between respective parties subject to conditions being met.

4 Proposal and Issues

- 4.1 Below are set out proposals for investment based on the outline investment matrix “Programme for Developing School Places” approved by Cabinet at its meeting on 18 October 2011 in a report entitled Strategy for Ensuring Sufficient School Places 2011/12 - 2016/17, minute 51 refers, and this report is the second in a two phased approach to deal with this increased allocation. At the meeting of Cabinet on 14 February 2012 commitments were made of £15.6m, leaving a balance of £60m. The strategy summary document is now attached and updated as Appendix 2 to this report.
- 4.2 As part of developing additional SEN provision it is proposed to utilise Seabrook House to move pupils currently housed in a temporary classroom at Eastbrook for the Education Transition Service (ETS) and to provide additional places for children with Emotional and Behaviour Disorders. This work is relatively small scale to improve fencing and security works, replace roofing and some internal refurbishment and will be carried out through the Council’s in house technical teams and using term maintenance contractors
- 4.3 Dagenham Village – Rectory Library – this development was proposed to be linked to the expansion and possible amalgamation of Village Infants and William Ford CofE Schools. As this is not now possible the Rectory Road Library is being released to facilitate other activities in the locality. The budget identified of £2.0m will be retained as a contingency so that we can respond to demand in the local area, and support the identified schemes where costs increase.
- 4.4 Since the Cabinet meeting on 14 February when Cabinet approved a number of projects the following additional costs have been identified.

Manor Infants and Juniors £500k to ensure the link between the two buildings and provide a joint resource of a hall for gym, dance and drama as when the schools were previously expanded this was not provided. This investment will help to future proof the building.

Roding Cannington Road £300k for external works including in particular ground works and the relocation of the ground source heat pump pipe work, the construction of a covered walkway.

- 4.5 The additional funding will allow for more detailed work to be done with secondary schools to bring forward schemes that were in a later phase of developments. This will provide the additional forms of entry required from September 2013. In order to manage the potential risks of non- delivery against a statutory obligation to provide school places, Members are asked to agree the programme below. This programme of works is fully funded from grant received from Central Government.

School	Project	Amount £m
Barking Abbey	Up to additional 5fe (14fe)	£15m
All Saints	Additional 2fe (8fe)	£6.1m
Jo Richardson	Additional 2fe (10fe)	£3m
Barking Riverside	Temporary Site Contribution	£3m
Marsh Green Primary	Additional 1fe (2fe)	£2m
John Perry Primary	Additional 1fe (3fe)	£2m
Manor Infants and Junior	Additional Cost	£0.5m
Roding Cannington Road	Additional Cost	£0.3m
Fanshawe Primary	New 3fe primary costs include moving some Adult College and Music School provision	£4.5m
Gascoigne Primary	Expansion by 3fe at Abbey depot (Part Fund)	£3.8m
Robert Clack Comprehensive	Additional 2fe (10fe)	£6 m
Lymington Primary	New Facility to be linked to existing school	£10 m
Gascoigne Primary	5 class extension current site	£1.3m
Feasibility Design and Site Setup		£2.5m
	Total	£60m

4.6 This programme has been compiled in the light of the very limited finance and space available and the priority that must be given to statutory obligations, covering the primary and secondary sector and some special needs provision.

5 Free Schools

5.1 Members have considered the matter of Free Schools previously and supported bids made by the Barking and Dagenham Learning Co-operative Trust (BDLCT) and Bethel Church. We now know that both of these bids have been successful and will support the need we have to meet demand for additional school places in the Borough. The BDLCT will set up a free school at Barking Riverside (secondary) and Bethel Church an all through school 3-19. In an earlier meeting with representatives from the Bethel Church they indicated that if a permanent site was not ready by the

due date they were prepared to start 3fe in Reception at the Church in Parsloes Avenue. There do remain issues for the permanent site for this school.

- 5.2 As part of the development of secondary school provision at Barking Riverside to support the BDLCT before it becomes a Free School discussions have taken place with Barking Riverside Limited (BRL) about the site for the school being assigned to the Council. It is a fact that whilst this process will start there are some issues which BRL will need to address before they can lease the site to the Council. A temporary solution will need to be found to support the continuing development of the school which started its life with four YR7 classes at George Carey CofE Primary School this September.
- 5.3 A temporary solution for the secondary school is being investigated at the former City Farm site in Thames Road and has been discussed in principle. From the £3m previously debated by Informal Cabinet a sum of £100,000 has been set aside to carry out site investigations and to explore build development and design options. This has been necessary because of the timescales for completion as some additional accommodation will be required for September 2013. Once vacated, this site will be designed appropriately to enable occupation for additional primary school places. The £3m budget is only a contribution to this scheme and it is anticipated that further funding will be required to complete the project.
- 5.4 The Government have made it clear they expect LA's to principally use the free school and academy route to develop additional places. There may be funding in future but this is not clear at present. There does appear to be the beginnings of an interest in developing further Free School applications in the Borough. The next wave of bidding for Free Schools for those to open September 2014 opens on 17 December 2012 and closes on 4 January 2013.

6 Investment at Trinity – Education Funding Agency (EFA)

- 6.1 An opportunity presented itself late in the day to apply for 6th form funding to support additional provision at SEN schools. It was felt appropriate to submit a bid in support of the school which was speculative but never the less has proved successful. The Corporate Director of Children's Services has received notification from the EFA that an award of £922,250 has been made.
- 6.2 This project will double the size of the school's current Further Education Centre (6th Form) thus increasing access for young people currently in the school who may not otherwise have been able to access specific facilities. It will also mean the school is able to offer opportunities to pupils in mainstream schools attending additional resource provisions, where this is deemed appropriate.
- 6.3 It is a requirement of the grant that it is fully committed and there is evidence of the building on site by 31 March 2013. Officers from Children's services have commissioned support from Assets and Commercial Services and meetings have taken place with the school to develop designs.
- 6.4 A separate report is on the agenda showing the action taken by the Chief Executive in view of the timescales for completing this project.

7. Future Use of Fanshawe Crescent – Adult College

- 7.1 The rationale for changing the use of the site at Fanshawe is to address need and to achieve value for money. In the current YR1 classes across the Borough there were no spaces until the start of term when Southwood Primary and Parsloes Primary had new accommodation and were both asked to take additional blip classes for Year 1 pupils. John Perry Primary have just agreed to take an additional class for reception pupils new to the Borough since the start of term. There is also a growing pressure since the start of term for reception and year 1 places which is being monitored closely. The demand at Southwood and Parsloes is in the immediate area of need.
- 7.2 Some work to look at the specific demand in the Parsloes Ward has been done and it shows that the overall population is forecast to rise by 900 residents between January 2012 and December 2018. This equates to an increase in pupils between the ages of 4-10 years in that area of around 350 pupils who will be seeking a school place.
- 7.3 When examining waiting lists at local schools on 11 October the following statistics are revealed.

Waiting list by year group

Distance from Adult College (Metres)	School	R	1	2	3	4	5	6
406	Valence St George	3	0	1	1	1	2	0
550	Parsloes	8	1	5	0	3	0	5
573	St Joseph - Dagenham	43	10	4	3	4	4	1
640	Southwood	10	1	0	2	2	1	0
706	Richard Alibon	18	5	6	1	0	2	0
	800 metre distance sub-total	82	17	16	7	10	9	6
977	Five Elms	28	5	7	4	0	3	1
979	Godwin	13	7	8	2	2	1	4
1005	Roding Hewett Road	17	12	1	7	1	3	0
1082	Hunters Hall	57	14	8	6	2	2	0
1152	St Teresa	45	10	5	1	2	1	0
1174	Thomas Arnold	34	0	5	2	2	1	1
1272	Grafton	25	8	9	3	0	1	0
1377	Village	88	12	9	n/a	n/a	n/a	n/a
1412	William Ford	n/a	n/a	n/a	0	0	0	0
1417	Valence Bonham Road	79	15	7	7	4	7	1
1419/1519	James Cambell	12	7	7	0	0	1	4
1521	Roding Cannington Road	0	4	0	0	2	0	1
1594	William Bellamy	3	5	0	1	0	3	0
	800 – 1600 metre distance sub-total	401	99	66	33	15	23	12
	Total	483	116	82	40	25	32	18

7.4 The only sites available to address the continuing rise in demand in this Ward are:

Fanshawe Site
Parsloes Park
Sydney Russell School/Parsloes Park

7.5 The other sites which have been considered both in the Ward and adjoining are as follows:

- Former St.Georges Centre – converted to school provision now Valence – St Georges
- St Joseph’s Primary – already expanded (Sept 2012) works in construction
- Southwood Primary – already expanded (Sept 2012) works in construction
- Parsloes Primary - already expanded (Sept 2012) works in construction
- Richard Alibon Primary – project in design
- Former Halbutt Street Training Centre – site too restricted

It is possible that in the short term the newly approved Bethel Free School may offer additional places until it is relocated in either 2015 or 2016.

7.6 Cabinet are asked to consider the options:

Option A: The Adult College and Music Service remain on site unchanged with no additional school facilities.

Estimated Cost	£nil
New Places	NIL

Option B: Approximately 20% of the current Fanshawe Site provision remains on site, with the provision of a new school linked to an existing community primary school in the locality. The Music School would need to be relocated to an alternative site – probably to Sydney Russell. About 80% of the Fanshawe site to move to premises in Ripple Road, Barking, if social care staff are able to be relocated to Roycraft House.

Estimate Cost	£4.5m
New Places	630 + nursery 39 places

Option C: Approximately 20% of the current Fanshawe Site provision remains on site, with the provision of a new school linked to an existing Voluntary Aided primary school in the locality. The Music School would need to be relocated to an alternative site – probably to Sydney Russell. About 80% of the Fanshawe site to move to premises in Ripple Road, Barking, if social care staff are able to be relocated to Roycraft House.

Estimate Cost	£4.5m
New Places	630 + nursery 39 places

Option D: Approximately 20% of the current Fanshawe Site provision remains on site, with the provision of a new school which would need to be an academy. The

Music School would need to be relocated to an alternative site – probably to Sydney Russell. About 80% of the Fanshawe site to move to premises in Ripple Road, Barking, if social care staff are able to be relocated to Roycraft House.

Estimate Cost	£4.5m
New Places	630 + nursery 39 places

Option E The Adult College remains at the Fanshawe Site and additional places are provided by building a new school at Parsloes Park or at Sydney Russell School with some additional play space being provided by use of part of the park.

Estimate Cost	£10.5m
New Places	630 + nursery 39 places

7.7 Students and governors at the Adult College would prefer not to move the provision at the Fanshawe site. The current arrangements have supported the Adult College in developing national reputation and achieving a “good” rating from OFSTED.

7.8 There is concern that a move to Barking might dilute the available offer, and could disadvantage disabled students. Students also expressed their concern about the lack of parking and safety (particularly at night) in Barking and that this could possibly discourage woman students (who make up the majority of Adult College Students).

8. Warren Comprehensive

8.1 Members have in the past expressed concerns that there should be some support to improve the offer at Warren Comprehensive by investing to address condition and modernise the school. Some investment has taken place over the last 3 years of £680,576.

8.2 If Members require investment some additional funding can be managed from the School Modernisation Funding – DfE grant, but any assistance from capital receipts would help to make some greater improvements which would be more visible. The funding for Modernisation Grant is largely used to meet requirements for programmed works asbestos removal, pipework replacement, boiler and heating renewals, toilet refurbishment, and none of these are particularly visible, but crucial to keep the school functioning.

9. Options Appraisal

9.1 See risk management section at 8.1 below. The main option outside of the report’s immediate proposals is to do nothing more than accept the current and proposed levels of funding which then exposes the Council to risks of poor accommodation and a challenge to its ability to fulfil its statutory obligations.

10. Consultation

10.1 This report sets out an investment schedule based on earlier proposals as set out the report to Cabinet at its meeting on 18 October 2011. This included an

investment matrix “Programme for Developing School Places” approved by Cabinet in a report entitled Strategy for Ensuring Sufficient School Places 2011/12 - 2016/17, minute 51 refers. This report was widely circulated and discussed with, in particular, Headteachers. The investment matrix has now been updated and is attached as **Appendix 1**.

- 10.2 Further consultation on individual projects will need to take place if this report is approved with Headteachers, Schools and Governors to agree individual schemes within the financial boundaries which have been indicated where this is possible.

11. Financial Implications

Implications verified by: Dawn Calvert, Group Manager Finance

- 11.1 In 2011/12 an allocation of £14.2m was announced and Cabinet approved the spending programme for this funding on 10 May 2011.
- 11.2 Central Government have recently announced the following allocations to support the Council’s School and other children’s services estate and to provide for the additional capacity to support school place demand. Additional funding of £75.567m has been allocated and the breakdown is shown below:

Redirected Basic Need Allocation (Nov 2011)	£23,914,831
Basic Need Allocation (2012/13)	£21,890,118
Additional Basic Need (2012/13)	£29,762,837
TOTAL	£75,567,786

- 11.3 Cabinet has already approved a proportion of the additional £75.567m to be spent. On 14 February 2012, Cabinet approved spend of £15.6m. The proposed allocation of the balance of £60m is detailed in this report for Cabinet approval and the proposed spending programme is shown in paragraph 4.5 of this report.
- 11.4 In paragraph 13.2.3 of this report, the total capital programme to be funded from the additional allocation of £75.567m is detailed. This programme is fully funded from grant received from DfE to support the provision of additional school places.

12. Legal Implications

Implications verified by: Eldred Taylor-Camara, Legal Group Manager

- 12.1 This report states that the projects will be procured in compliance with the Public Contracts Regulations 2006, the Council’s Contract Rules, and EU procurement principles, using in the main, the LEP, the Council’s Construction Framework agreement or the GPS frameworks, all of which have been EU procured.
- 12.2 Officers have indicated that further reports will be brought before Cabinet for some of the projects when the schemes and procurement strategies are more fully developed. Officers have also indicated they will be seeking and taking Legal, procurement and other professional advice in the procurement of these projects to ensure full legal compliance.

12.3 The Legal Practice will provide legal assistance to Officers in the procurement and preparation of legal documentation to support the projects.

13. Other Implications

13.1 Risk Management

13.1.1 Risk that funding levels will not be sufficient to create new school places needed. This risk is high impact (4) and medium (3) probability = 12 red. This risk is being managed by purchasing the most affordable accommodation which is system build where possible. Post control the risk is high impact (4) and low (2) probability = 8 amber.

13.1.2 Risk that funding levels will not be sufficient to create suitable new school places. This risk is high impact (4) and high (4) probability = 16 red. This risk is being managed by purchasing the most affordable accommodation which is system build, and blending it with site specific proposals. Post control the risk is high impact (4) and low (2) probability = 8 amber.

13.1.3 Primary schools: risk that site availability would prevent delivery of school places in the areas where demand is highest. This risk is high impact (4) and medium (3) probability = 12 red. This risk is being mitigated, as far as practicable, by expanding all available sites in high demand areas, and reviewing other buildings for potential school use. Post control the risk is still high impact (4) and medium (3) probability = 12 red.

13.1.4 Risk that the cost of the rate of deterioration of school estate will outrun the funding available to maintain it. This risk is high impact (4) and high (4) probability = 16 red. This risk is being mitigated as far as practicable by lobbying DfE for improvements in funding. Post control the risk is high impact (4) and medium (3) probability = 12 red.

13.1.5 The provision of school places is a matter which is directly identified in the Corporate Risk Register and listed at Corporate Risks 31 – Provision of School Places.

13.2 Contractual and Procurement Issues

13.2.1 Legal, procurement and other professional advice will be sought regarding the appropriate procurement routes and contractual agreements to procure and secure the individual projects which fall within the second phase, consisting of the secondary and primary school schemes.

13.2.2 It is anticipated that projects will be secured through options related either to the Local Education Partnership or through the Council's Framework of Contractors. It will also be necessary to explore other specialist providers where there is value for money and a clear support from the Government or its agents to secure projects in this way.

13.2.3 Below are the details of the schemes it is intended to progress as set out in the report and the procurement option is as described. Some of these are not developed sufficiently and will be subject to a further report to Cabinet.

School	Scheme Output/Project	Value	Procurement Option Proposed
Dagenham Village Expansion	Additional 1fe in area	£2.0m (includes £0.6m previously approved)	Project on hold, funding to be held as contingency. Para. 4.3 refers.
William Bellamy Primary	Additional 1fe moves to 5fe	£2.3m (includes £1.8m previously approved)	In house options appraisal. Construction contractor procured through LBBB framework competition – proposed 2 stage design and build contract.
Contingency - summer 2012 for unplanned classes	Various One Off Classes	£1.0m	Procurement through offsite build specialist provider via competitive tender
Roding Cannington Primary	Additional 1fe moves to 4fe	£1.8m	LEP procurement through standard BSF form of contract.
Richard Alibon Primary	Additional 1fe moves to 3fe	£1.5	Architect appointed – through LBBB consultancy framework Archetype, to undertake feasibility Procurement supported by CDU through LBBB framework competition for contractor, one contract with full design single stage JCT Contract.
Warren/Furze	Additional 1fe moves to 4fe – subject to passed works	£1.8	Internal architect for design Procurement supported by CDU through LBBB framework competition One contract with full design single stage JCT Contract.
Manor Schools	Additional 1fe moves to 5fe	£2m	Architect appointed – through LBBB consultancy framework to undertake feasibility. Contractor procured through LBBB framework competition – proposed 2 stage design and build contract.
Valence Halbutt Street Yr5/6	6 classes refurbishment to increase provision to meet current requirements	£1m	Scheme in design through internal team Procurement supported by CDU through LBBB framework competition one contract with full design single stage JCT Contract.
Rush Green Infants	Nursery/Reception Provision of additional capacity	£0.3m	Small contract works through Borough Surveyor.
SEN/Additional	Additional Units	£1.0m	Small contact works through

Resource Provision [asperger / behaviour]			Borough Surveyor.
Contingency - summer 2013	Various One Off Classes	£1.0m	In procurement through offsite build specialist provider via competitive tender
Barking Abbey £9m	Up to 5 additional forms of entry to 14fe	Up to £15m	Architect appointed from LBBB Consultancy framework – Walters & Cohen for feasibility Construction procured through LBBB framework competition – proposed 2 stage design and build contract.
All Saints	Additional 2fe (8fe)	£6.1m	Diocese procurement, a further report will come to Cabinet on land issues
Jo Richardson	Additional 2fe (10fe)	£3m	Original PFI contact – to be negotiated.
Barking Riverside	Temporary Site Construction	£3m (to be determined)	To be determined subject to discussion with Education Funding Agency / DfE as school to convert to free school – September 2013 This will create the opportunity for additional primary school once vacated.
Feasibility Design and site set up		£2.5m	Various projects for early feasibility and design – subject to discussion with technical teams
Marsh Green Primary	Addition 1fe moves to 2fe	£2.0m	Architect to be appointed through LBBB framework – mini competition. Construction procured through LBBB framework – competition, full design, single stage JCT Contract.
John Perry Primary	Addition 1fe moves to 3fe	£2.0m	Architect to be appointed through framework – mini competition construction. LEP procurement through standard BSF form of contract.
Fanshawe Primary	New 3fe School	£4.5m	Architect to be appointed through LBBB framework – mini competition. Construction procured through LBBB framework – competition, full design, single stage JCT Contract.
Gascoigne Primary	Five Classroom	£1.2m	Procured through LEP using

	Extension		standard BSF form of contract.
Robert Clack Comp.	Additional 2fe – to 10fe	£6m	Subject to further report
Lymington Primary	Linked to existing school 3fe Primary. To be ready for September 2014	£10m	Subject to design programme for housing development. A further report will come to Cabinet.
Gascoigne Primary	Expansion by 3fe at Abbey Depot To be ready for September 2015	£3.8m (Part Fund)	Subject to further report if site is confirmed.
TOTAL		£74.8m	

13.3 **Staffing Issues** - There are no specific staffing issues although the growing demand for school places will create additional opportunities in the of schools for both teaching and non-teaching staff.

13.4 **Customer Impact** - The short term impact of the recommendations for the coming year would be positive for customers on all counts of: race, equality, gender, disability, sexuality, faith, age and community cohesion.

The longer term outlook is unlikely to be positive on the proposed funding levels.

13.5 **Safeguarding Children** - Adoption of the recommendations in the short term would contribute to the Council's objectives to improve the wellbeing of children in the borough, reduce inequalities and ensure children's facilities are provided in an integrated manner, having regard to guidance issued under the Children Act 2006 in relation to the provision of services to children, parents, prospective parents and young people.

The longer term outlook is unlikely to be positive on the proposed funding levels.

13.6 **Health Issues** - In the short term there are no specific implications, but in the longer term the outlook is unlikely to be positive on the proposed funding levels.

13.7 **Crime and Disorder Issues** - In the short term there are no specific implications, but in the longer term the outlook is unlikely to be positive on the proposed funding levels.

Appropriate consideration of the development of individual projects will take into account the need to design out potential crime problems and to protect users of the building facilities.

13.8 **Property / Asset Issues** - This proposed decision would facilitate the improvement and renewal of Council assets.

Background Papers Used in the Preparation of the Report:

- Cabinet Report - Context and Programme for Investment in Schools - 10 May 2011 (minute 133 refers).

- Cabinet Report - Strategy for Ensuring Sufficient School Places 2011/12 –2016/17, -18 October 2011 (minute 51 refers).
- DfE Letter dated 3 November 2011 advising about additional capital allocation – Redirected Capital.
- DfE Letter dated 13 December 2011 advising about capital allocation for 2012/13 – Basic Need
- DfE Letter dated 11 April 2012 advising about additional basic need – Additional Basic Need

List of Appendices

Appendix 1 Projected Spend Profile by Project

Appendix 2 Strategy for Ensuring Sufficient School Places 2012/13 – 2016/17

This page is intentionally left blank

Projected Spend Profile by Project

School	Project	2012/13	2013/14	2014/15	2015/16	Total
Barking Abbey	Up to additional 5fe (14fe)	30,000	9,000,000	4,500,000	1,470,000	15,000,000
All Saints	Additional 2fe (8fe)	50,000	4,000,000	1,525,000	525,000	6,100,000
Jo Richardson	Additional 2fe (10fe)	30,000	2,500,000	400,000	70,000	3,000,000
Barking Riverside	Temporary Site Contribution	100,000	2,800,000	100,000	-	3,000,000
Marsh Green Primary	Additional 1fe (2fe)	50,000	1,800,000	150,000	-	2,000,000
John Perry Primary	Additional 1fe (3fe)	500,000	1,400,000	100,000	-	2,000,000
Manor Infant and Junior	Additional Cost		500,000			500,000
Roding Cannington	Additional Cost		300,000			300,000
Fanshawe Primary	New 3fe primary costs include moving some Adult College and Music School provision	500,000	3,500,000	500,000	-	4,500,000
Gascoigne Primary	Expansion by 3fe at Abbey depot (Part Fund)	-	800,000	3,000,000	-	3,800,000
Robert Clack Comprehensive	Additional 2fe (10fe)	10,000	3,000,000	2,750,000	240,000	6,000,000
Lymington Primary	New Facility to be linked to existing school	-	500,000	7,000,000	2,500,000	10,000,000
Gascoigne Primary	5 class extension current site	100,000	1,000,000	200,000	-	1,300,000
Feasibility Design and Site Setup		-	500,000	1,500,000	500,000	2,500,000
Total		1,370,000	31,600,000	21,725,000	5,305,000	60,000,000

This page is intentionally left blank

Strategy for Ensuring Sufficient School Places 2012/13 - 2016/17

Programme for Developing School Places with Draft SEN Provision				
	Primary	Secondary	Sixth Form	Special Needs Provision
September 2012	Must create minimum 204 Year R places	Barking Riverside Secondary 4fe at George Carey	Robert Clack addition 185 places at April 2012	12 additional SEBD ARP primary places (Ripple)
	Planning 210 places Year R St Joseph's RC Primary Barking (1fe) Monteagle Primary (1fe) Eastbury Primary (1fe) Parsloes Primary (1fe) Godwin Primary (1fe) Southwood Primary (1fe) William Bellamy Infant (1fe) Five Elms – Blip Class			12 additional primary ASD places at Trinity School
	(Funded Basic Need £14.2m)	No capital cost. Revenue DSG	YPLA £3.058m funded	
September 2013	Must create 192 Year R places	Barking Riverside Year 8 provision at least 4fe alternative site capital costs. (Temporary accommodation Basic Need. Or Free School. Need 120 Additional YR7		To accommodate the increasing numbers of children and young people with complex needs and MLD / SLCN (MLD+) 3 additional MLD+ primary ARP places, 8 additional MLD+ secondary ARP places and 6 additional SLCN/MLD places.
	Planning for 7 fe schemes: Fanshawe Site (3) Roding/Cannington (1) Richard Alibon (1) Warren/Furze (1) Manor (1) London Riverside Free School (3fe)	Sydney Russell Year 7 (2fe) funded jointly LA/school JRCS (2fe)		6 additional SEBD secondary ARP places 5 additional ASD places (JRCS/SR) 24 assessment and re-engagement places (Seabrook House) 18 additional primary ASD ARP places (Manor and George Carey)
September 2014	Must create 90 Year R places – however need to consider demographic changes in 2011 that impact.	Barking Riverside Year 9 (4fe) Need Additional 240 YR7		6 additional SEBD secondary ARP places additional PRIMARY ARP at Eastbrook secondary ARP places 8 additional

Programme for Developing School Places with Draft SEN Provision				
	Primary	Secondary	Sixth Form	Special Needs Provision
				secondary ASD placements (Aspergers) (Barking Abbey) 6 additional SLCN / MLD secondary ARP places (Eastbrook)
	Lymington Fields (3fe) Marsh Green Expansion (1fe) John Perry Expansion (1fe)	Barking Abbey (5fe) All Saints Yr 7 (2fe) London Riverside Free School (3fe) YRT	All Saints? 6 form classroom block (possibly to link with Year 7 expansion)	
September 2015	Need 30 Year R places Eastbury (Faircross Primary) PFI scheme Gascoigne Extension – Abbey Road Site 90 (3fe) Eastbrook Primary (2fe)	Need 270 places YR 7 Robert Clack 2fe YR7 Barking Riverside (2fe) Warren YR 7 (2fe) Eastbrook YR 7 (2fe) special needs element to Barking Riverside	(linked to Robert Clack School)	6 additional SEBD secondary ARP places
September 2016	Need 150 Year R places Second Barking Riverside Primary on Secondary campus 3fe Cultural Quarters (2fe) Free School	Need 360 YR 7 places plus contingency Barking Riverside 4 YR 7 New Secondary school (Barking - Gascoigne)		6 additional SEBD secondary ARP places Barking Riverside Special (30 places per year group for 5 years)
September 2017	Need 120YR places Possible Abbey sports Site (2fe) Second Barking Riverside Primary on Secondary campus 3fe	Need 90 YR7 places		6 additional SEBD secondary ARP places

CABINET

13 November 2012

Title: Domestic and Sexual Violence Strategy 2012-15	
Report of the Cabinet Member for Crime, Justice and Communities	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Helen Oliver, Group Manager Adult Safeguarding	Contact Details: Tel: 020 8724 8857 E-mail: helen.oliver@lbbd.gov.uk
Accountable Divisional Director: Glynis Rogers, Divisional Director, Community Safety and Public Protection	
Accountable Director: Anne Bristow, Corporate Director, Adult and Community Services	
<p>Summary:</p> <p>Tackling Domestic and Sexual Violence (D&SV) is crucial for creating a community within which everyone is safe: as strategic assessments continuously demonstrate, Barking and Dagenham has some of the highest Domestic Violence rates in London. This report introduces the final draft of the Community Safety Partnership's D&SV Strategy 2012-15 (Appendix 1) and Delivery Plan (Appendix 2). The report outlines the strategy, the local and national context within which it is being published, and the steps that have been taken to ensure that it is a Partnership document. The overall aim of the strategy is to ensure that the Partnership has an effective co-ordinated community response to D&SV: this will be achieved by focussing on the following objectives:</p> <ul style="list-style-type: none"> (a) preventing D&SV from happening in the first place; (b) providing support to victims where violence does occur; (c) reducing the risk and bringing perpetrators to justice; and (d) working better as a Partnership locally to achieve the best outcomes for victims. <p>Barking and Dagenham has the highest rate of Domestic Violence offences reported per head across the whole of the Metropolitan Police Service: it constitutes the majority of violent crimes in Barking and Dagenham. In 2011-12, there were 1,718 incidents of domestic violence reported to the Police: although this is a reduction of 4% on the previous year, this remains one of the highest numbers in London.</p>	
<p>Recommendation</p> <p>The Cabinet is recommended to agree the Domestic and Sexual Violence Strategy and Delivery Plan 2012-15 attached as Appendices 1 and 2 to the report, for implementation by the Community Safety Partnership.</p>	
<p>Reason(s)</p> <p>D&SV affects many of the Borough's residents: accordingly, the Council committed to continuing to 'help communities keep children and adults safe' in its <i>Statement of Priorities 2012-13</i>. A bespoke D&SV strategy will help to steer domestic and sexual violence action</p>	

plans for the next three years in a way that builds the community's confidence in the Council and the broader Partnership.

1. Introduction and Background

1.1 The Council is committed to working with the community of Barking and Dagenham to 'keep children and adults safe' in its *Statement of Priorities 2012-13*; this is also reflected in the Council's *Policy House*, which envisions 'a Borough that safeguards children, young people, and vulnerable adults.' Accordingly, working across agencies, both voluntary and statutory, the Community Safety Partnership has drawn up a bespoke strategy for tackling the Borough's Domestic and Sexual Violence (D&SV).

1.2 What is D&SV and how is it dealt with in Barking and Dagenham?

In Barking and Dagenham, Domestic and Sexual Violence (D&SV) is categorised into three distinct areas:

(a) **Domestic Violence:** a pattern of coercive control that can include physical, sexual, psychological and/or financial abuse, by a current or former partner or family members.

(b) **Sexual Violence:** any sexual act, attempt to obtain a sexual act, unwanted sexual comments/advances, or acts to traffic directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting. This includes rape, stalking, sexual harassment, prostitution, and trafficking:

- **Rape:** forced sexual intercourse
- **Stalking:** repeated harassment causing fear, alarm, or distress. Can include threatening phone calls, texts, letters, damaging property, and spying on or following the victim.
- **Sexual harassment:** unwanted verbal or physical conduct of a sexual nature. This can take place anywhere and includes flashing, obscene and threatening calls, and online harassment.
- **Prostitution.** This is addressed within the strategy because of its gendered and often forced nature. This strategy recognises prostitution as a victim-centred crime, and recognises that those who are coerced, abused and exploited require holistic help and support to exit.
- **Trafficking:** the recruitment and transportation of people using force, coercion, abuse of power, or deception for the purposes of exploitation, including prostitution, sexual exploitation and forced labour.

(c) **Harmful Practices:** forms of violence that have been committed, predominantly against women, in certain communities and societies for so long that they are considered part of accepted practice:

- **Female Genital Mutilation (FGM):** the complete or partial removal or alteration of the external genitalia of a female for non-medical reasons. FGM is based on ancient beliefs surrounding the need to

control women's fertility and sexuality. FGM is not a requirement of any religion.

- **'Honour' based violence:** violence committed to protect or defend the 'honour' of a family or community. Victims, often young girls, are perceived to have acted outside community boundaries or perceived acceptable behaviour, especially in relation to sexual matters.
- **Forced Marriage:** a marriage conducted without the valid consent of one or both parties, where duress is a factor.

1.3 The Council addresses D&SV across its services, particularly within Community Safety, Housing, Environment and Enforcement Services, and Children's Services. In addition, Partnership teams addressing D&SV include such agencies as the Police, Health, Probation and Victim Support, which optimises the Borough-wide response.

1.4 The Community Safety Partnership (CSP), which brings together the Council, Police, Probation, Fire Brigade, NHS, and community and voluntary organisations, provides the Borough's strategic lead in dealing with D&SV. Within the CSP's sub-group tasking structure, responsibility for this lies with the Domestic & Sexual Violence Strategic Group.

2. Local Context

2.1 Barking and Dagenham has the highest rate of offences reported per head across the whole of the Metropolitan Police Service. It is estimated that 24,000 females (1 in 4) and 15,000 males (1 in 6), living in Barking and Dagenham will experience domestic abuse at some stage during their lifetime.

2.2 In 2011-12, there were 1,718 incidents of domestic violence reported to the Police: although this is a reduction of 4% on the previous year, this remains one of the highest numbers in London.

2.3 Between April 2011 and March 2012, 275 sexual offences (including rape) were reported to Barking and Dagenham Metropolitan Police. Between 1st April and 31st July 2012, 24 sexual abuse allegations were raised in relation to children and in 2010/11 there were 29 sexual abuse investigations involving adults at risk.

2.4 Local data indicates that approximately a quarter of domestic violence assault offences in Barking and Dagenham involved young people as victims.

2.5 Domestic violence is estimated to cost Barking and Dagenham £19.1 million a year (this estimate does not including human and emotional costs).

3. Domestic and Sexual Violence Strategy 2012-15: Proposal and Issues

3.1 As the CSP's strategic assessments, other national and local research, direct service requests and Members' enquiries and complaints demonstrate, tackling D&SV is key to ensuring that the Borough's residents are safe.

3.2 The Borough's commitment to addressing D&SV have steered the D&SV Strategic Group's decision to develop a bespoke D&SV strategy for 2012-15; the final version for agreement is attached at Appendix 1.

3.3 A discrete strategy will ensure that the wider Partnership is tasking its resources in a manner that addresses D&SV as effectively and efficiently as possible. The D&SV strategy:

- consolidates the issues;
- co-ordinates the response; and
- clarifies the responsibility of Council departments and the role of partner agencies in addressing D&SV in the Borough.

As such it will enhance our work to improve community safety, support vulnerable adults and children and increase confidence in the wider Partnership.

3.4 Strategic Objectives

This new D&SV strategy replaces a domestic violence strategy that was agreed in 2008. While the previous strategy centred around six objectives, the D&SV Strategic Group has agreed, following consultation, that this new, broader strategy should mirror the four objectives in the Government's *Call to End Violence against Women and Girls*, these are:

- (a) preventing domestic and sexual violence from happening in the first place;
- (b) providing support to victims where violence does occur;
- (c) reducing the risk and bringing perpetrators to justice; and
- (d) working better as a partnership locally to achieve the best outcomes for victims.

The strategy's delivery plan (Appendix 2) prioritises these areas accordingly.

3.4.1 A comprehensive Equalities Impact Assessment was undertaken in order to shape the strategy and delivery plan.

3.5 Outcomes

In delivering against the plan, the Borough will see:

- Staff across all agencies who are able to appropriately recognise, refer and support survivors to safely exit all forms of domestic and sexual violence;
- A better early response by health services, including maternity and GPs of those experiencing Female Genital Mutilation;
- A reduction in the repeat abuse of high risk victims;
- Better support through the criminal justice system for victims and witnesses;
- The commissioning of access to specialist domestic and sexual violence services;
- Raised awareness of how to address the issue in schools and colleges;
- An increase in challenge to perpetrators and more offenders brought to justice;
- Higher detection rates and less 'cracked cases';

- Improved intelligence and analysis on the different strands of D&SV;
- A focus on plans to respond to the impact of criminal gangs and serious youth violence on women and girls.

4. Options Appraisal

4.1 The strategy and delivery plan are in their final draft. The Community Safety Partnership has asked all agencies to take the documents, in their final form, to their governing bodies asking them to endorse the strategy or make further recommendations prior to sign off by the CSP Responsible Authorities.

5. Consultation

5.1 The Strategy has been subject to widespread consultation following analyses of local strategic assessments and a focussed workshop session. The strategy has been considered by internal Council Boards and also by the Serious Youth Violence Partnership, the LSCB, the Disability and Equality Forum, Safeguarding Adults Board and Health and Well-being Board. Feedback from these groups has helped to shape the strategy.

5.2 Members of the Safer and Stronger Communities Select Committee (SSCSC) considered the Domestic and Sexual Violence Strategy and associated Delivery Plan at its meeting on 3 October 2012. Members asked the Chair to recommend to the Portfolio Holder for Crime, Justice and Communities that:

- The strategy be endorsed;
- Cabinet note that the Select Committee were encouraged to see a focus on Female Genital Mutilation in the report; and
- The Portfolio Holder should ask the Corporate Director of Children's Services to liaise with schools to receive feedback as to how domestic violence is addressed with all age groups.

6. Financial Implications

Implications completed by: Dan Herholdt, Accountant

6.1 The Domestic and Sexual Violence Team costs the Council £108,300 per annum. In addition, the Community Safety Partnership also procures an Independent D&SV Advocacy Service at £290,000 per annum and pays £40,000 towards the East London Perpetrator Programme.

6.2 The above costs of £438,300 is funded from the local authority core funding of £246,800, and contributions from the Housing Revenue Account of £40,000, NHS Barking & Dagenham PCT of £120,000 and Metropolitan Police Service of £31,500. Delivery of the strategy and delivery plan will be achieved within the budget for this service.

6.3 London Borough of Barking and Dagenham has been allocated £117,316 Community Safety Funding in 2012-13 from the Mayor of London Office for Policing and Crime (MOPaC). The CSP will be responsible for the management of this funding and should be incorporated in the planning of our community safety budget and activities for 2012-13. The MOPaC funding priorities are unchanged from 2011-12, and are as follows:

- (a) reducing reoffending
- (b) reducing violence against women and girls; and
- (c) reducing serious youth violence

6.4 Moving forward to 2013-14 and beyond, it needs to be noted that there is no guarantee that future Community Safety Funding allocations will be in line with those previously received, either in terms of the sums received nor in the priorities against which these should be spent.

6.5 Section 9 of the Domestic Violence Act 2005 brings into law a requirement on local authorities to hold a multi-agency review following a case of adult domestic homicide, as detailed below in Legal Implications. Responsible authorities of the CSP have to determine where a DV Homicide Review is appropriate in consultation and inform the Home Office of that determination. Where such a review is agreed the Responsible Authorities have agreed that these will be jointly funded.

7. Legal Implications

Implications completed by: Shahnaz Patel, Lawyer

7.1 The Government's *Call to End Violence against Women and Girls* was published in November 2010. In it, the Government set out its vision for tackling such crimes. In March 2011, the Government published a detailed range of supporting actions for taking the strategy forward which forms the foundation. The underlying principles of the strategy remain in force. Section 9 of the Domestic Violence Act 2004 not in full force brings into law a requirement on local authorities to hold a multi-agency review following a case of adult domestic homicide. Such reviews are an effective learning and prevention tool for local areas.

7.2 The Equality Act 2010 introduced a new public sector duty requiring the public to consider how it's policies to meet the needs of all those who uses its services. Authorities will be required to publish its data. The Act allows a public body to deliver services to targeted groups. The D&SV Strategy of Barking and Dagenham supports the very core values of the Government.

8. Other Implications

8.1 **Risk Management** - There is no legal obligation upon the Council or its partners to have a D&SV Strategy. However, the work that the partnership undertakes serves to prevent serious injury and homicides. Therefore, leaving D&SV poses a significant reputational risk to the Council and the broader Partnership that would not only reduce public confidence, but would also exacerbate the human and emotional costs of D&SV: a Borough that leaves D&SV unaddressed sends the message that D&SV is acceptable and further serves to isolate victims and survivors. This bespoke D&SV strategy provides a focus for the work in this area and allows the Council and its partners to monitor our performance against agreed indicators.

8.2 **Contractual Issues** - In dealing with D&SV, the Council currently commissions a number of schemes:

- (a) Victim Support (VS): VS are contracted to provide the Safer Homes Project. The Safer Homes Project includes the Sanctuary Scheme which provides victims of domestic, sexual violence and hate crime with preventative security measures for their home such as alarms and lock changes.
- (b) Domestic Violence Intervention Project (DVIP): DVIP run a community based perpetrator programme (there are two types of perpetrator programme: those run by the Probation Service (IDAP), for convicted offenders, and community-based programmes run by the voluntary sector). The programme is for perpetrators of domestic violence, who wish to stop their violent behaviour. DVIP also provides a woman's support service to partners and ex-partners of men who access the perpetrator programme.
- (c) Barking and Dagenham Independent Domestic and Sexual Violence Advocacy Service (Refuge): This service provides short-term independent advice and support to high risk victims of domestic violence. The service works closely with the Multi-Agency Risk Assessment Conference arrangement to offer support to the Borough's most at-risk clients.
- (d) Barking and Dagenham Refuges (Refuge): The Council provides funding for specialist refuge provision in the Borough, for women and children fleeing domestic violence.
- (e) Barking and Dagenham Floating Support (Refuge): The Domestic Violence Floating Support service offers support to women who are affected directly or indirectly by issues of domestic violence primarily around resettlement and housing.

8.3 **Staffing Issues** - The strategic aims contained within the strategy are to be delivered within existing Council and Partnership resources.

8.4 **Customer Impact** - Figures suggest that 1 in 4 women and 1 in 6 men will experience D&SV: this means that in Barking and Dagenham approximately 24,000 female and 15,000 male residents will experience domestic abuse at some stage during their lifetime. To date, the Community Safety Partnership has made significant progress in addressing this. The development of this more wide-ranging strategy will consolidate achieved progress further, and the comprehensive action plan and performance measures will assist further improvement.

The D&SV Strategy has undergone a comprehensive Equality Impact Assessment, which demonstrates that the strategy will benefit all groups living and working in the Borough.

8.5 **Safeguarding Children & Adults at Risk** - 75% of children in care have witnessed or experienced domestic violence in their lives. This makes tackling this agenda essential if we are to safeguard our children from the long term effects of witnessing violence at home. Our Barking and Dagenham Youth Forum has highlighted concerns regarding sexual violence and respect for young women as risk issues in our Borough. There must be strong information sharing and an agreed strategic approach across services working with adults and children to reduce the impact for victims, but also to help children and young people who may become future perpetrators.

This Strategy has been jointly developed across services working with children and adults. The role of the Children's Trust and Local Safeguarding Children's Board and their sub-groups will be crucial in implementing the strategy, which is reflected in the Children and Young People's Plan. The new Troubled Families Board will be an important contributor to tackling the impact of violence in families, building on the work of the Children's Centres, Multi-Agency Locality Teams and Youth Offending Team. The strong links with the Serious Youth Crime and Community Safety Partnerships will be essential in ensuring that tackling D&SV is a cross-generational approach.

Safeguarding Adults at Risk is another integral part of this strategy with strategic links being made to the Safeguarding Adults Board Strategy. It is felt that this discrete D&SV strategy will serve to further galvanise the response to all individuals including Adults at Risk.

- 8.6 **Health Issues** - While perpetrators can often have physical and/or mental health issues, D&SV can usually affect its victims' physical and/or mental health. By focussing on the provision of support for victims of D&SV, and working in Partnership with ONEL and Mental Health, the D&SV strategy aims to address the health and well-being issues that cause and exacerbate the effects of D&SV.

Given that those with substance misuse, mental health, physical disabilities and learning disability issues are often at higher risk of becoming victims of D&SV, the D&SV strategy continues and enhances the existing procedures for safeguarding those with needs that could make them particularly vulnerable.

- 8.7 **Crime and Disorder Issues** - Section 17 of the Crime and Disorder Act 1998 requires local authorities to integrate consideration of the impact on crime and disorder of any decision, policy, activity or strategy that it performs. The authority is required to ensure that there is no negative impact on crime and disorder of any such decisions. While a discrete D&SV strategy is not a statutory requirement, it will improve community safety and increase confidence in the Partnership: there are no negative impacts arising from this strategy.

Background Papers Used in the Preparation of the Report:

A list of linked and associated reports, strategies and research documents are contained within the draft strategy:

- (a) Domestic Violence Strategy 2008
- (b) Government Paper: *Call to End Violence Against Women and Girls*
- (c) GLA Strategy: *The Way Forward: A Call for Action to End Violence Against Women*
- (d) Barking and Dagenham Community Safety Partnership: *Strategic Assessment 2011*

List of appendices:

- Appendix 1:** Domestic & Sexual Violence Strategy 2012-15
- Appendix 2:** Domestic & Sexual Violence Delivery Plan 2012-15

Together Against Violence

A Domestic and Sexual
Violence Strategy for
Barking and Dagenham

2012-15



Contents

	SECTION		SECTION
Foreword	1	Safeguarding Adults and Children	10
Introduction	2	Key Objectives	11
Outcomes	3	Process – How we arrived at our priorities	12
Definitions – What does the strategy address?	4	Governance Arrangements	13
National Context – What does the data tell us?	5	Monitoring, Evaluation and Review	14
Local Context – What does the data tell us?	6	Equality and Diversity	15
National and Regional Strategies/Plans	7	Domestic and Sexual Violence Delivery Plan 2012-2015	16
Local Strategies/Plans	8	Glossary of Acronyms	17
Local provisions	9	Data Factsheet	Appendix 1



The prevention of domestic and sexual violence is a key priority for Barking and Dagenham Community Safety Partnership. Domestic and Sexual Violence not only damages the lives of those people who are abused and their families, but it also breeds harmful attitudes that impact on the wider community. Furthermore, the financial costs incurred by agencies responding to violence in the Borough are estimated to be in the tens of millions of pounds each year.

Understanding how and why domestic and sexual violence occurs has been crucial in developing this strategy. We know that most abusers are known to their victims and most will adopt more than one type of violence; we know that no one is immune to being victimised, and that it is very important for support to be in place for everyone. However, we also know from research and local data that some people within the community are more vulnerable. Domestic and sexual violence mostly affects women and girls, but other characteristics such as disability, ethnicity, age, sexual orientation, substance misuse, pregnancy, and immigration status may increase both the likelihood and also the barriers faced in seeking help.

Men and boys are also victims, so whilst this strategy focuses primarily on addressing issues of violence against women, particularly those who are most vulnerable, at the same time it ensures that where men and boys are victims they will also be able to access safety and justice. Domestic and sexual violence is not a new phenomenon – it has been a feature of lives throughout recorded history – but as advances are made, different forms of abuse have emerged through, for example, social networking sites and mobile phone SMS ('sex-ting') which, as a Partnership, we need to recognise and respond to.

I am very pleased to witness the advances marked by the development of this joint strategy. The strategy sees the Partnership applying the knowledge we have gained in responding to domestic violence to drive forward progress against wider sexual violence issues. This strategy also provides a platform to bring together the various strands of work that the Partnership has begun in relation to sexual exploitation, serious youth violence, safeguarding children and adults and hate crime, and I am confident that we will have made significant progress by 2015.

Anne Bristow
Chair of the Barking and Dagenham Community Safety Partnership

Introduction

2

Barking and Dagenham Council has three clear aims in its work for the Borough's residents:

- **Raising household incomes**
Improvements will be made to employment and skills levels by providing proactive support that helps local people back into work or training, and promotes the area to businesses and developers.
- **Improving standards in school and post-16 education**
Services will focus continually on improving aspirations and achievement to deliver improved skills and employment outcomes for residents of all ages.
- **Housing and estate renewal**
The Housing Strategy for 2012-2017 focuses on delivering a range of improvements including investing in new ways to deliver affordable housing, Council housing, decent homes and regeneration.

These aims are underpinned by the Council's *Policy House*, which envisions 'a Borough that safeguards children, young people, and vulnerable adults.' Research shows that Domestic and Sexual Violence affect all outcomes for children, families, and adults. By agreeing to tackle domestic and sexual violence, the Partnership will work towards this commitment.

Domestic and sexual violence includes domestic violence, sexual violence and rape, harassment and stalking, harmful practice (such as forced marriage, female genital mutilation, and honour violence) trafficking and prostitution.

In Barking and Dagenham, the majority of domestic and sexual violence that takes place is not committed by strangers on the streets. Instead, it is committed by people who are well known to their victims, either as partners or family members. The Partnership vision is therefore to ensure that the partnership has an effective and coordinated community response to domestic and sexual violence.

The Government and the Mayor of London use the term 'Violence against Women and Girls' (VAWG hereafter). VAWG refers to 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.'

The Partnership accepts that women and girls are more likely to be victims of domestic and sexual violence and men are more likely to be perpetrators. However, the Partnership also recognises that men and boys can also be victims of these crimes, and so this strategy will help to ensure that **all** victims, regardless of their gender, are treated with dignity, respect and sensitivity.

In Barking and Dagenham our objectives will be to :

1. **PREVENT** domestic and sexual violence from happening in the first place.
2. **PROVIDE SUPPORT** to victims where violence does occur.
3. **REDUCE THE RISK** and **BRING PERPETRATORS TO JUSTICE.**
4. **WORK IN PARTNERSHIP** locally to achieve the best outcomes for victims

Over the last six years, Barking and Dagenham Partnership has made good progress in refining its response to domestic violence. Achievements include jointly commissioned specialist domestic abuse services for victims and perpetrators, dedicated posts within key organisations, public awareness raising campaigns, public information campaigns and multi-agency training. We are now looking to apply this learning to the domestic and sexual violence agenda.

The previous work in the Borough has tended to focus on improving the responses of the criminal justice system (police and courts). While this is an important part of the managing domestic and sexual violence, the Partnership realises that on its own this will not make victims safer. Rather, the aim is to prevent violence from happening in the first place by continuing to work with the community to change the attitudes which underpin these types of crimes. While these changes in attitude can be difficult to measure, it is hoped that the success of the strategy will be demonstrated by an increase in the number of victims and friends and family coming forward.

The aim of this strategy is to provide a vision of what the Partnership wants to achieve for the local community in relation to all types of domestic and sexual violence. It then sets out the plan of action for how it will be achieved over the next three years.

This strategy uses the term domestic and sexual violence rather than domestic and sexual abuse. While recognising and understanding that domestic and sexual violence is a range of behaviours (not just physical violence), the term 'violence' more accurately describes the serious nature of the behaviours involved and the impact they have on victims.

Domestic and sexual violence are not commonly raised as doorstep issues with councillors. But that does not mean that they are not happening or that we should not act. I am proud that, as a Partnership, we will be tackling these often hidden yet hugely destructive issues head-on.

Cllr. Jeanne Alexander
Cabinet Member for Crime, Justice, and Communities

Domestic and sexual violence are key public health issues which can affect both the physical and mental well-being of survivors and those closest to them.

Helen Davenport
*Deputy Director Safeguarding
NHS Outer North East London & City*

Barking and Dagenham Metropolitan Police take domestic and sexual violence very seriously and are committed to working with the Community Safety Partnership to increase victim safety and hold perpetrators to account.

Chief Supt Andy Ewing
*Borough Commander
Barking and Dagenham Metropolitan Police*

Outcomes

3

Our Vision and Overarching Outcome	To ensure that the Partnership has an effective co-ordinated community response to domestic and sexual violence.
Our Priority Objectives	Outcomes
1. To PREVENT domestic and sexual violence from happening in the first place.	By 2015 we aim to have achieved the following: <ul style="list-style-type: none">• A suitably trained universal services workforce, able to appropriately recognise, refer and support survivors to safely exit all forms of domestic and sexual violence.• Health Services (Maternity, Sexual Health, GPs) to increase the early identification of women and girls who have experienced or are at risk of experiencing FGM by 10% year on year.• A reduction of 2% of repeat domestic violence incidents reported to the MARAC.
2. To PROVIDE SUPPORT to victims where violence does occur.	<ul style="list-style-type: none">• All victims attending court are offered active advocacy support at Court.• The development of a joint Health and Social Care Commissioning Framework to ensure that victims have regional access to specialist domestic and sexual violence services.• Schools and colleges to ensure that staff are aware of how violence may affect young people's behaviour and what action they should take if they suspect that it is.
3. To REDUCE THE RISK and BRING PERPETRATORS TO JUSTICE .	<ul style="list-style-type: none">• An increase in the sanction detection rate of domestic and sexual violence incidents.• A reduction in the number of 'ineffective'¹ domestic and sexual violence cases through the courts.
4. To WORK IN PARTNERSHIP locally to achieve the best outcomes for victims.	<ul style="list-style-type: none">• An increase in the Partnership's local understanding of the prevalence of the different strands of domestic and sexual violence through improved data recording and monitoring.• The development and implementation of an operational plan for responding to the impact of criminal gangs and serious youth violence on women and girls.

¹ Ineffective trial: on the trial date the expected progress is not made due to action or inaction by one or more of the prosecution, the defence or the court and a further listing for trial is required

Definitions What does this strategy address? 4

The forms of violence covered by this strategy are:

Domestic violence is defined as a pattern of coercive control between those aged 16 or over, which can include physical, sexual, psychological and/or financial abuse, by a current or former partner or family members

Sexual violence is defined as any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting. It includes rape, stalking, sexual harassment, prostitution and trafficking:

- **Rape** – forced sexual intercourse²
- **Stalking** – repeated harassment causing fear, alarm, or distress. Can include threatening phone calls, texts, letters, damaging property, and spying on or following the victim.
- **Sexual harassment** – unwanted verbal or physical conduct of a sexual nature. This can take place anywhere and includes flashing, obscene and threatening calls, and online harassment.
- **Prostitution** is addressed within the strategy because of its gendered and often forced nature. This strategy recognises prostitution as a victim-centred crime, and recognises that those who are coerced, abused and exploited into prostitution require holistic support.
- **Trafficking** – the recruitment and transportation of people using force, coercion, abuse of power, or deception for the purposes of exploitation, including prostitution, sexual exploitation and forced labour.

Harmful Practices are defined as forms of violence that have been committed, predominantly against women, in certain communities and societies for so long that they are considered part of accepted practice.

- **Female Genital Mutilation (FGM)** – the complete or partial removal or alteration of the external genitalia of a female for non-medical reasons. FGM is based on ancient beliefs surrounding the need to control women's fertility and sexuality. FGM is not a requirement of any religion.
- **'Honour' based violence** – violence committed to protect or defend the 'honour' of a family or community. Victims, often young girls, are perceived to have acted outside community boundaries or perceived acceptable behaviour, especially in relation to sexual matters.
- **Forced Marriage** – a marriage conducted without the valid consent of one or both parties, where duress is a factor.



² Rape includes penetration either by body part or an object and also includes forced oral sex.

National Context what does the data tell us? 5

Domestic Violence

National research reveals that under half of all domestic violence incidents are reported to the police, but, even at this level of suspected under-reporting, domestic violence would still account for a quarter of violent crime reported to the police. One of the key facts from the body of research into domestic violence is that it can affect anyone however gender, disability, substance misuse, ethnicity, sexual orientation and age can impact upon the likelihood of victimisation and the types of abuse experienced. Research also confirms that those living in households where domestic violence occurs will be, at least, emotionally harmed by what they witness.

Sexual Violence

It is estimated that there are 190,000 incidents of serious sexual assault each year in the UK; although just 13% of rape and sexual violence is reported to the police and of those reported only 6% result in a successful conviction. Anyone can be a victim of rape or sexual violence. Nevertheless, research indicated that females, those with a disability, substances misuse issue or those who are young or elderly are at increased risk. Certain ethnic groups are also likely to face increased risk from some harmful practices which result in sexual violence (for example, a forced marriage which results in the rape of the individual). Rape and sexual violence is most likely to be committed by someone known to the victim; most commonly a partner.

Stalking

Stalking is one of the most common types of intimate violence: according to the British Crime Survey 2010/11, 18% of women and 9% of men have experienced it. Recent advances in social media mean that cyber-stalking is now more common than physical harassment.

Prostitution

Women involved in street prostitution are 18 times more likely to be murdered than other women in the UK, and it is estimated that 63% of women in prostitution experience violence. Black and minority ethnic women are affected disproportionately. Research indicates that sex workers are also especially vulnerable to substance misuse, and frequently have histories of childhood sexual abuse, poverty and or trafficking.

Teenage Relationship Abuse

Teenage girls aged between 16 and 19 are statistically most at risk of domestic violence. Research carried out by the NSPCC in 2011 revealed that 2 in 3 girls and 1 in 3 boys reported emotional violence in their relationships. As with other age groups, pregnancy also significantly heightens the risk of domestic abuse within this age bracket.

Trafficking

The Home Office estimate that between 1,000 and 10,000 women and girls are trafficked into the UK for sexual exploitation annually. The majority of victims are between 18 and 24 years of age.

Harmful Practice

The Home Office estimate that 23,000 girls in the UK are at risk of Female Genital Mutilation. A 2010 freedom of information request to all police forces in the UK revealed 2,823 incidents of honour based violence. In 2010, there were 1,735 reported incidents of forced marriage. Of these, 86% of victims were female; and those with learning disabilities were thought to be particularly vulnerable.

Local Context what does the data tell us? 6

Domestic Violence

Barking and Dagenham has the highest rate of offences reported per head across the whole of the Metropolitan Police Service. It is estimated that 24,000 females (1 in 4) and 15,000 males (1 in 6), living in Barking and Dagenham will experience domestic abuse at some stage during their lifetime. Domestic violence is estimated to cost Barking and Dagenham £19.1 million a year (this estimate does not include human and emotional costs). In 2010/11 39% of all Barking and Dagenham domestic violence court cases resulted in an unsuccessful prosecution, the 8th lowest in London. The 2011 Crime and Disorder Strategic Assessment for Barking and Dagenham identified that victims who report are generally white, female, aged in their 20s and suspects are generally white, male and aged 20 – 30. Local data also reveals that a quarter of domestic violence assault offences in Barking and Dagenham involve young people as victims. In addition, each time the police attend an address to respond to a domestic violence report they are required to complete a referral for children's social services. In the last year the police have raised 1218 referrals about Barking and Dagenham children.

Stalking

It is estimated that in Barking and Dagenham 1,761 men and 2,368 women (aged 16-59) experienced stalking in the last year. It is estimated that the number of women and girls stalked in 2020 will be 5338.

Trafficking

These figures are not currently collected, but work will be undertaken with colleagues across agencies to establish a baseline moving forward.

Prostitution

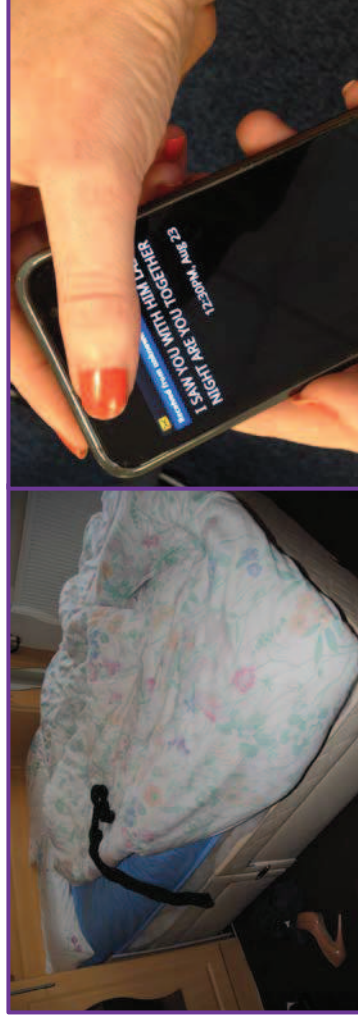
Barking and Dagenham Police received 28 reports about brothels between January and August 2012. Street prostitution appears to be limited to one area within the Borough.

Rape and Sexual Violence

Between April 2011 and March 2012, 275 sexual offences (including rape) were reported to Barking and Dagenham Metropolitan Police. Between 1st April and 31st July 2012, 24 sexual abuse allegations were raised in relation to children and in 2010/11 there were 29 sexual abuse investigations involving adults at risk.

Harmful Practice

In 2009/10, 14 women from Barking and Dagenham attended the African Well Women's for FGM related treatment. In 2010/2011 the Borough's MARAC discussed 4 cases of honour-based violence. Between December 2008 to April 2012, 366 Forced Marriage incidents were reported to the Metropolitan Police Service.



Links to National/Regional Strategies/Plans

7

There are a number of national and regional documents which have influenced the development of the Partnership's Domestic and Sexual Violence strategy. The key ones are:

National Policy and Strategy Documents

Call to End Violence against Women and Girls

The Coalition Government's strategic vision is set out under 4 themes:

- Prevent violence in the first place.
- Provide support when it happens.
- Partnership-work to get the best outcomes.
- Reduce risk and bring perpetrators to justice.

Call to End Violence against Women and Girls – Action Plan

There are now 100 government actions to implement its strategic vision. The list includes:

- Teenage relationship violence campaign;
- Bailey review of sexualisation and commercialisation of childhood;
- Continued provision of funding for MARACs, ISVAs and IDVAs;
- Implementation of DV Homicide reviews;
- Introduction of 2 new offences of stalking;
- Provide funding for initiatives to support male victims of DV;
- Fund a national 'Ugly Mug' scheme to protect sex workers from violent customers; and

DFES Tackling Child Sexual Exploitation Action Plan

National action plan published in November 2011 to tackle child sexual exploitation.

Regional Policies, Strategies and Plans

The Way Forward: A call for action to end violence against women

The Mayor of London published his strategy in April 2009. The strategy is built on five objectives with an emphasis on prevention, provision, protection and prosecution.

These are:

- to reduce the prevalence of VAWG over time through prevention;
- to improve access to support for victims;
- to address the health, social and economic consequences of violence;
- to protect women at risk; and
- to get tough with perpetrators.

Links to Local Strategies/ Plans 8

Policies, Strategies and Practices	Summary
<p>Barking and Dagenham Community Safety Partnership Strategic Assessment of Crime and Community Safety Partnership Plan 2012-2015</p>	<p>The Community Safety Partnership conducts an annual strategic assessment of crime from which its priorities are drawn for the following 3 years. These are published in the Community Safety Partnership Plan. Domestic Violence has been a local priority for over 10 years and the 2012 Assessment widens this out to include all violence against women as well as serious youth violence which often includes sexual violence and exploitation.</p>
<p>Joint Health and Wellbeing Strategy - Barking and Dagenham Health and Wellbeing Board</p>	<p>The Joint Health & Wellbeing Strategy (JHWS) is the means by which the Health and Wellbeing Board set the priorities for collective action for meeting the needs identified in Joint Strategic Needs Assessment (JSNA). Taken together JSNA and JHWS will be the pillars of local decision-making, focussing leaders on the priorities for action and providing the evidence base for decisions about local services.</p>
<p>Domestic Violence and Violence Against Women and Children: Strategy and Action Plan 2010-2013 – Barking and Dagenham NHS</p>	<p>This document focuses on the role played by the NHS in helping victims of domestic and sexual violence. Actions cover prevention of violence before it happens, providing care to victims and educating staff and patients about the issue.</p>
<p>Children and Young People’s Plan (Children’s Trust)</p>	<p>Barking and Dagenham Children’s Trust is working together to improve the lives of children, young people and their families. The Children and Young People’s plan is the Children’s Trust’s key strategic document in setting out how all the organisations in Barking and Dagenham will work together to make services better and improve the lives of children and young people, and to help them achieve their ambitions and to promote better life chances. The plan has five priorities and domestic violence fits into ‘Ensuring Children and Young People are Safe’. Under this priority are four top objectives one of which is to ‘Reduce the risk and impact of domestic violence, parental mental health and ensure families are supported’.</p>

Policies, Strategies and Practices	Summary
<p>Community Cohesion Strategy (Barking and Dagenham Partnership)</p>	<p>‘Together’: A Community Cohesion Strategy for Barking and Dagenham aims to make Barking and Dagenham a place where people respect one another and enjoy safe and peaceful lives; where there are opportunities to meet together and look forward to the future, and to be a united community who will get fair access to services. The six community cohesion priorities will contribute to the prevention of domestic and sexual violence.</p>
<p>Local Safeguarding Children Board Annual Report</p>	<p>The Local Safeguarding Children Board publishes an annual report which identifies the priority areas for action. Priorities include aiding young people in identifying child exploitation, which is a cornerstone of the Domestic and Sexual Violence Strategy.</p>
<p>Joint Strategic Needs Assessment</p>	<p>The JSNA provides an annual assessment of the health needs of the local population.</p>
<p>Alcohol Strategy 2013- 2016</p>	<p>In Barking and Dagenham, we recognise that the impact of alcohol misuse can be varied. The Alcohol Strategy 2013-16 sets out its aims to tackle all manner of alcohol related issues faced by communities, families, and individuals locally. This strategy outlines a plan for the next 3 years that will see a reduction in alcohol related hospital admissions and violent crime, whilst increasing access to treatment and positive outcomes for service users</p>
<p>Older People’s Strategy (LBBD)</p>	<p>As people grow older, issues such as finance, housing, quality of life, and personal well-being, impact upon their lives. The Older People’s Strategy 2011-13 sets out a vision for older people living in Barking and Dagenham that sees the Council working with partners to address these issues, and promote health, independence, well-being and mobility for older people.</p>
<p>Safeguarding Adults Board Strategy</p>	<p>This strategy sets out the Partnership response in relation to Safeguarding Adults at Risk from abuse and neglect. The strategic objectives include: Empowerment – Presumption of person led decisions and informed consent; Protection – Support and representation for those in greatest need; Prevention – it is better to take action before harm occurs; Proportionality – Proportionate and least intrusive response appropriate to the risk; Partnership – local solutions through services</p>
<p>Housing Strategy 2012-17</p>	<p>Barking and Dagenham is situated in the Thames Gateway growth area with the potential to develop significant numbers of new homes over the next 10 years largely concentrated in Barking Town Centre and an expansion of the Borough at Barking Riverside. To assist in the achievement of this aim, the LBBD Housing Strategy outlines plans to provide new homes; improve the environment, condition and quality of our existing housing stock; link to programmes to tackle low skills and joblessness; provide good quality supported housing and services; promote choice and independent living; and tackle affordable warmth and climate change.</p>

Local Provisions

9

Below are some examples of schemes available to local residents: all services are accessible for men and women (with the exception of the women-only refuge and Women's Trust provisions).

Independent Domestic and Sexual Violence Advocacy (IDSVA)	The Local IDSVA Service is provided by Refuge. It consists of community based advocates and also three maternity based advocates. The advocates offer independent advice and support to the boroughs highest risk victims.
Multi Agency Risk Assessment Conference (MARAC)	The MARAC model has been widely rolled out across the country. The model combines the best that specialist services have to offer in terms of working with victims, together with the resources and authority of a range of statutory agencies. The Barking and Dagenham MARAC meets each month to consider the highest risk victims.
Sanctuary Scheme	The Sanctuary Scheme is an innovative approach to homelessness prevention. It provides professionally installed security measures to allow those experiencing abuse to remain in their own homes, where it is safe for them to do so and where they choose to do so. The Sanctuary Scheme is managed by Barking and Dagenham Victim Support.
Domestic Violence Perpetrator Programme	There are two types of perpetrator programme: those run by the Probation Service (IDAP), for convicted offenders, and community-based programmes run by the voluntary sector where perpetrators who have not been convicted can receive help and support.
Domestic Violence Refuge and Floating Support	The Borough is home to two domestic violence refuges. The refuge also runs a floating support service which aims to support survivors living in the Borough to access support.
Domestic Violence Homicide Reviews	Domestic Homicide Reviews (DHRs) came into force on 13 April 2011 under Section 9 of the Domestic Violence, Crime and Victims Act. It requires the Community Safety Partnership to decide whether a Domestic Homicide Review should take place in the event of the death of a person aged 16 or over where the person responsible is related to the victim, has had a relationship with the victim or is a member of the same household.

<p>Finding The Words</p>	<p>Following the success of ARC Theatre's 'Girl E' and 'Girls Have Their Say', Finding The Words is a new two-year public-speaking and media programme giving young women in Barking and Dagenham a confident and credible voice in the debate around gangs and youth violence, and a platform for developing positive lifestyles and healthy relationships.</p>
<p>East London Rape Crisis Centre</p>	<p>The East London RCC provides counselling and support to people who have experienced rape and sexual abuse. The crisis service covers the boroughs of Barking and Dagenham, Hackney, Havering, Newham, Redbridge, Tower Hamlets and Waltham Forest. It caters for both men and women for those aged 14 and over.</p>
<p>The Haven Whitechapel</p>	<p>The Haven Whitechapel is a Sexual Assault Referral Centre offering medical care and practical and emotional support for victims of sexual assault across London. The confidential service includes specially trained NHS doctors, nurses and other healthcare professionals including counsellors and psychologists. It offers forensic examinations and full aftercare services for women, children and men. People can use the Haven's services when they choose to report an assault to police.</p>
<p>Women's Trust</p>	<p>The Women's Trust is a registered charity providing independent, confidential, women-only services to women who have been or are affected by domestic violence in London and the local area.</p>
<p>Daniel Project</p>	<p>The Serious Youth Violence Partnership commissioned the Daniel Project to work with young people identified as being at risk of exploitation in gangs.</p>
<p>Mental Health First Aid http://www.mhfaengland.org/</p>	<p>An innovative training course to support staff to be more aware of the risks of female exploitation within gangs. It is built upon the idea of physical first aid, e.g. if someone hurts themselves, we deliver first aid to mitigate injury until the ambulance arrives. The training aims to support staff to better assist young women in crisis; while they await mental health interventions.</p>

Safeguarding Adults and Children 10

Individuals are likely to be the best judge of the risks that they face and how best to manage them, however there are two groups of individuals for whom the state has a duty to take action to safeguard: children and adults at risk. Given that abuse often affects the whole household, the Partnership often has to work holistically, adopting a 'Think Family' approach.

Investigating concerns

An adult at risk is defined by whether, because of mental or other disability, age, or illness, an adult is unable to protect themselves against significant harm or exploitation. Where it is suspected that an adult at risk is experiencing abuse or neglect, the Local Authority has the lead role in co-ordinating the multi-agency approach. This approach is set out within 'Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse' (www.scie.org.uk/publications/reports/report39.pdf).

If a child is deemed to be experiencing abuse and neglect the Children Act 1989 provides the legislative framework for agencies to take action. The London Child Protection Procedures (Apr 2011) cover all agencies and can be accessed at <http://www.londonscb.gov.uk/procedures>.

Strategic Safeguarding

The Local Authority has a duty to co-ordinate safeguarding adult activity across the Partnership, review practice, facilitate joint training, disseminate information, and monitor and review progress within its area. These functions are delivered through the Safeguarding Adults Board, which meets quarterly, and is attended by senior representatives from across the partnership; its Chair is Independent. In the next twelve months legislation is expected to be introduced to place the Safeguarding Adults Boards onto a statutory footing.

Similarly the Local Safeguarding Children Board (LSCB) co-ordinates local safeguarding activity and drives improvement to safeguard and promote the welfare of children more effectively. Its role, functions, governance and operation are set out in Chapter 3 of the statutory guidance 'Working Together to Safeguarding Children'; it also has an independent Chair.

The Domestic and Sexual Violence Strategic Board is represented on both of these boards to ensure communication.

Key Objectives

11

This new Domestic and Sexual Violence Strategy replaces a domestic violence strategy that was agreed in 2008. The previous strategy centred around six objectives and had a number of actions. The Domestic and Sexual Violence Strategic Group in Barking and Dagenham has agreed to mirror the four objectives in the Government's Call to End Violence against Women and Girls.

Therefore the 4 key objectives for this strategy are:

To **PREVENT** domestic and sexual violence from happening in the first place. This will be achieved by challenging the attitudes and behaviour that foster it locally and by intervening early through work with children and families.

To **REDUCE THE RISK** and **BRING PERPETRATORS TO JUSTICE**. This will be done by working proactively to protect victims and by challenging the behaviour of perpetrators through the courts or other mechanisms.

To **PROVIDE SUPPORT** to victims where violence does occur. This will be done by providing specialist, generic and practical services that meet the needs of all victims in both the short and the long term. These services will be located across all partner agencies and within the statutory and the voluntary sector.

To **WORK IN PARTNERSHIP** locally to achieve the best outcomes for victims. This will be done by working across all sectors – health, criminal justice, children's and adults social care services, commissioning, housing – to achieve a local and integrated response to domestic and sexual violence.



Process How we compiled our delivery plan 12

The initial step in deciding what the local priorities should be was examining data from the Crime and Disorder Strategic Assessment 2011 and the Joint Strategic Needs Assessment 2011.

Following analysis of these data, the members of the Domestic and Sexual Violence Strategic Group held a workshop to discuss and plan the new strategy.

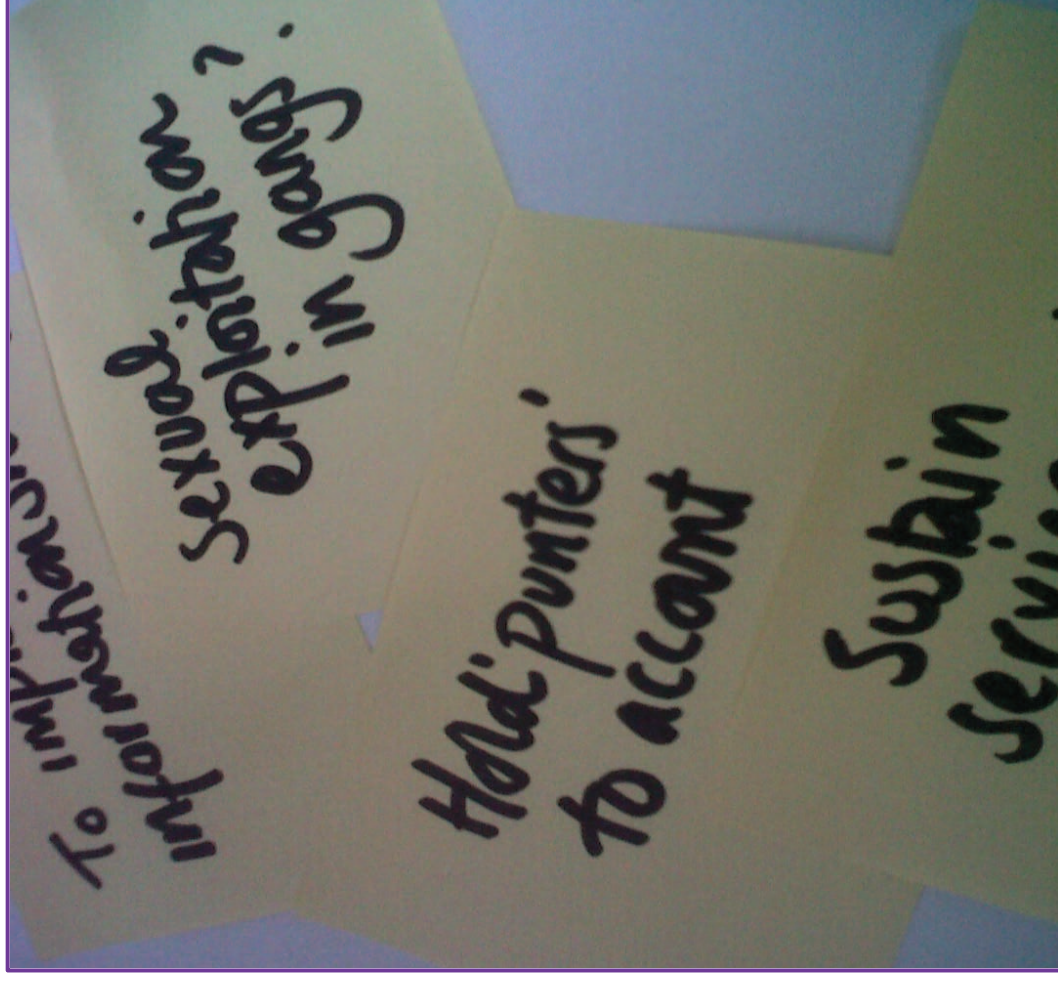
They spent time exploring their own and organisational values in relation to domestic and sexual violence. From this work the shared vision in this strategy has been developed.

A session on governance explored the expectations of members of the Domestic and Sexual Violence Strategic Group. The cross cutting nature of domestic and sexual violence was also recognised the links to other partnerships and meetings were clarified.

The group then considered the range of services in response to domestic and sexual violence that were already being provided and identified gaps. The Delivery Plan for this strategy is based on these discussions.

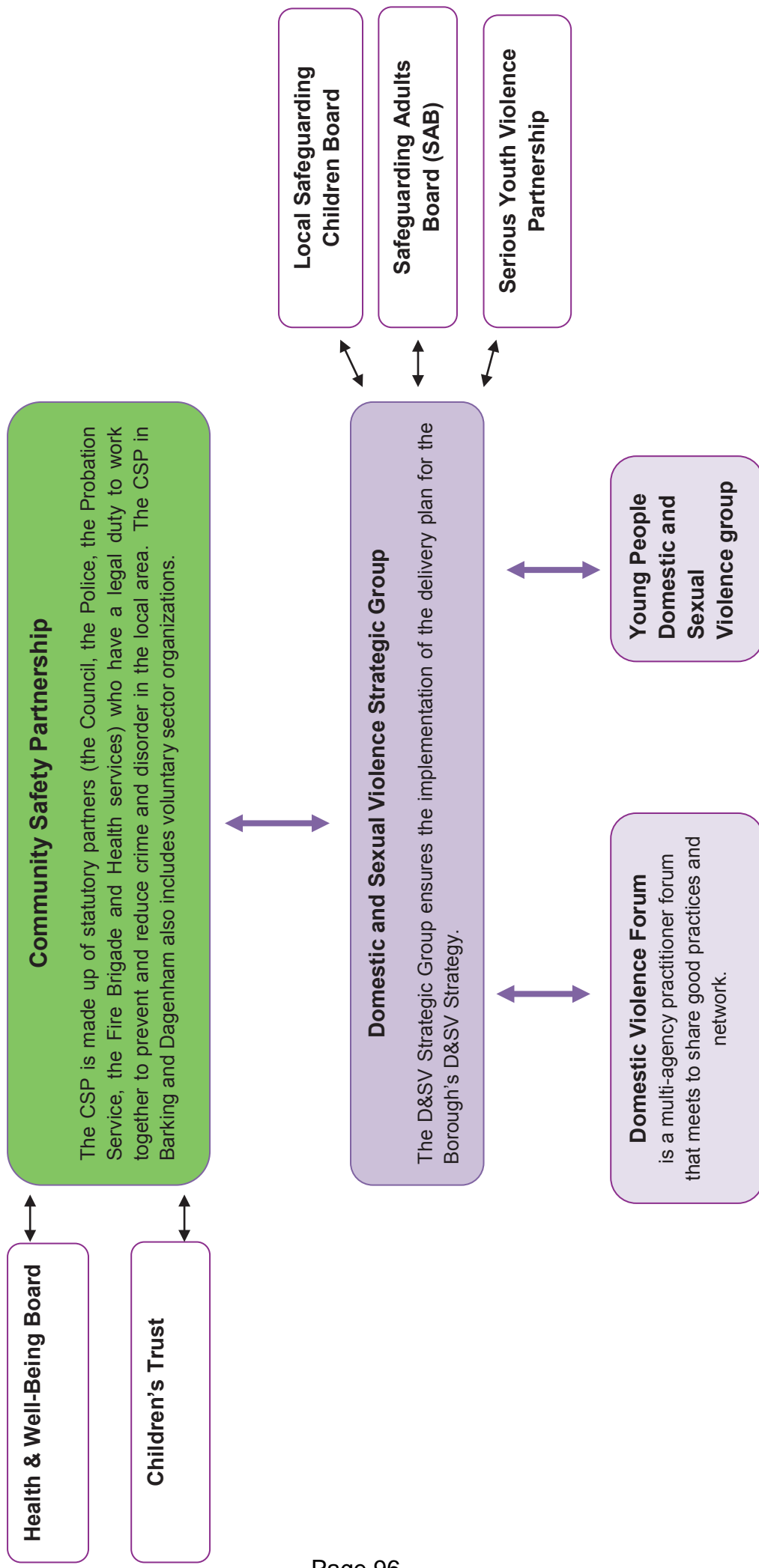
A second draft of this strategy was then produced and circulated for consultation across the Partnership.

An Equality Impact Assessment was also conducted to explore the different needs of groups living in the Borough.



Governance Arrangements

13



Monitoring, Evaluation and Review 14

Like all strategies, success depends on regular and robust monitoring and review to ensure that the intended outcomes are being achieved and action is taken to address service failings, or any other problems that arise.

Throughout the life of this strategy the monitoring, evaluation, and review will be undertaken by the Domestic and Sexual Violence Strategic Group, which is accountable to the Community Safety Partnership (CSP). However the Group will also advise and work with the Children's Trust, the Local Safeguarding Children's Board, the Safeguarding Adults Board and the Health and Well-Being Board as these Boards have also prioritised domestic and sexual violence.

Domestic and Sexual Violence Strategic Group

The group's role is to drive, develop and monitor the Domestic and Sexual Violence Strategy and its associated delivery plans. The group meets every three months and will share its updates on the Delivery Plan with the public on the Partnership website. www.barkingdagenhampartnership.org.uk.

The membership of the Domestic and Sexual Violence Strategic Group is drawn from across the Partnership and includes representation from the Council, the Police, Safeguarding, Crown Prosecution Service, Victim Support, North-East London Foundation Trust (NELFT), the NHS, and Probation Service.

To ensure that the strategy's delivery plan remains appropriate, it will be reviewed by the CSP Board in 2013-14.



An Equality Impact Assessment was carried out to help the partnership to identify the priority actions required to meet the needs of the Borough's diverse communities.

The assessment provided an opportunity to reflect and ensure that services which respond to domestic and sexual violence are equally accessible to all sections of the community. **The findings of the assessment have been embedded into the delivery plan** and are summarised below:

Ethnicity

- There is lower confidence among Black Minority Ethnic & Refugee (BMER) groups in reporting domestic and sexual violence to services.
- Partnership-work must be undertaken with specialist BMER grass route groups to understand and respond to harmful practices facing BMER groups, e.g. Jan Project, Newham Asian Women's Project.
- Local data in relation to harmful practice is inadequate: there is a need to map services and to address under-reporting.
- BMER women are nationally over-represented within prostitution.

- National conviction rate for rape against BMER women are lower.
- There needs to be greater understanding of the links between asylum, forced marriage, and FGM as a precursor or consequence of trafficking.

Gender

- Women and girls are more likely to be victims of all types of domestic and sexual violence but men and boys are also victims.
- There is an inadequacy of data on trafficking.

Substance Misuse

- There are heightened risks and barriers associated with victims who misuse substances.

Disability

- Disabled women are twice as likely to experience domestic and sexual violence: awareness needs to be raised
- Partnership must ensure that victims with physical and learning disabilities have access to all services.

Age

- There is an inadequacy of data and research
- Younger and older women are most likely to be victims of abuse.
- Service provision and public information may be inappropriate for different age groups.
- Assumptions made by agencies about age may lead to failures to recognise and respond appropriately.
- Gaps with links with age specific service providers.

Sexual Orientation

- Suspected high levels of under-reporting among Lesbian, Gay, Bisexual, and Transgender community.

Pregnancy

- Pregnancy triggers a risk for domestic and sexual violence.
- Miscarriage and still births may be linked to domestic and sexual violence.

Carers

- Carers need to be supported as potential victims and abusers.

Domestic & Sexual Violence 16

Delivery Plan 2012- 2015

The actions to be taken by Barking and Dagenham Partnership are set out within the separate Delivery Plan. This plan will be reviewed in 2013-14.

For a copy please visit <http://www.barkingdagenhampartnership.org.uk/Pages/partnershiphome.aspx>

Or contact

Email: helen.oliver@lbbd.gov.uk

Address: Safeguarding Adults Team
London Borough of Barking and Dagenham
Third Floor
Roycraft House
15 Linton Road
Barking
IG11 8HE

Glossary of Acronyms 17

Please see below for a list of explained acronyms that have been used in this Strategy, for ease of reference:

Acronym or Term	Meaning or Definition
BMER	Black Minority Ethnic & Refugee
CSP	Community Safety Partnership
D&SV	Domestic and Sexual Violence
DHR	Domestic Homicide Review
East London RCC	East London Rape Crisis Centre
FGM	Female Genital Mutilation
IDAP	Integrated Domestic Abuse Programme (run by the Probation Service)
IDVA	Independent Domestic Violence Advocate
IDSVA	Independent Domestic and Sexual Violence Advocacy
ISVA	Independent Sexual Violence Advocate
JHWS	Joint Health and Wellbeing Strategy
JSNA	Joint Strategic Needs Assessment
LSCB	Local Safeguarding Children Board
MARAC	Multi-Agency Risk Assessment Conference
NELFT	North East London Foundation Trust
VAWG	Violence against Women and Girls

Appendix 1: Data Factsheet

National Data

Domestic Violence

- **Every minute** in the UK an incident of domestic violence is reported to police.
- Less than **40%** of domestic violence crime is reported to the policeⁱ
- It is estimated that on average **1 in 4 women**ⁱⁱ and **1 in 6 men**ⁱⁱⁱ will **experience domestic violence** at some stage in their lifetime. (However men are less likely to have been repeat victims, less likely to be seriously injured, and less likely to report feeling fearful).
- **64 per cent of women** and **94 per cent of men** subject to domestic abuse **did not think** that what had happened to them **was a crime**^{iv}
- Nationally it is estimated that **domestic violence** accounts for **one quarter of all reported violent crime**^v
- At least **750,000** children a year witness domestic violence
- Nearly **three quarters** of children on the 'at risk' register live in households where domestic violence occurs^{vi}
- In **40 - 70%** of cases where women are being abused, the children are also being directly abused^{vii}
- **1 in 5** people think it would be acceptable for a man to hit or slap his female partner if she is dressed in sexy clothing in public^{viii}
- It is estimated that **227,000** older people were neglected or abused in the past year, by family members, partners, carers or close friends. **94%** of those experiencing abuse were women^{ix}
- **30%** of domestic violence starts in **pregnancy**^x and domestic violence is identified as a **prime cause of miscarriage or still-birth**^{xi}
- **Disabled women** are **twice as likely** to experience domestic violence as non-disabled women. They are also likely to experience it over a **longer period** of time and suffer more **severe injuries** as a result^{xii}
- On average **2 women a week are killed** by a male partner or former partner in England and Wales: this constitutes around **one-third** of all female murder victims^{xiii}.
- Domestic violence is the most prevalent **cause of depression** and other mental health difficulties in women^{xiv}
- Abused women are **five times** more likely to **attempt suicide**^{xv}
- **40%** of Asian women who seek treatment for alcohol misuse are experiencing domestic violence^{xvi}
- Women experience an average of **35 incidents** of domestic violence before they report to the police^{xvii}
- **80%** of transgender people experience emotionally, sexually or physically abusive behaviour from a partner or ex-partner^{xviii}

Stalking

- **Stalking** is one of the **most common types** of intimate violence. The 2010/11 British Crime Survey showed **18%** of women and **9%** of men saying that they have experienced stalking since they were 16.
- **4.1% of women** aged 16 to 59 and **3.2% of men** aged 16 to 59 **experienced stalking** in the previous year^{xix}
- The most common perpetrator in incidents of stalking is a **partner or ex-partner** (39%)^{xx}
- **33%** of victims said they had lost their job or relationship or have been forced to move because of the stalking^{xxi}
- In 2010, proceedings were taken against **10,990 individuals** under the **Protection from Harassment Act 1997**, (which covers stalking offences) of which **8,487** were **found guilty**
- **Cyber stalking** is now more common than physical harassment, with many victims finding themselves pursued by complete strangers^{xxii}

Trafficking

- In 2009 the **Home Office estimated** that there were about **5,000 trafficking victims** in the UK
- Between **1,000** and **10,000** women and girls are trafficked into the UK each year for sexual exploitation^{xxiii}
- **4,000** women were trafficked into the UK in 2003^{xxiv}
- The majority of trafficking victims are **between 18 and 24 years** of age^{xxv}

Prostitution

- Women involved in **street prostitution** are **18 times** more likely to be murdered than other women in the UK^{xxvi}
- Most teenage prostitutes are involved in **street prostitution**^{xxvii}
- Of the estimated **80,000** people involved in prostitution in the UK, up to **5,000** children may be involved at any one time, with a female to male ratio of **four to one**^{xxviii}
- **63%** of women in prostitution experience violence^{xxix}
- More than **50%** of women in prostitution have been raped and or seriously assaulted^{xxx}
- **85%** of women in prostitution report experiencing physical abuse by a family member^{xxxi}
- Almost **10%** of the adult male population in London is thought to have paid for sex^{xxxii}
- **75%** of children abused through prostitution had been missing from school^{xxxiii}
- **Black women, minority ethnic** women suffer disproportionately^{xxxiv}

- Only **19%** of women working as prostitutes in flats, parlours and saunas are originally from the UK^{xxxv}
- In 2010 Association of Chief Police Officers estimated that about **2,600 women** involved in **prostitution** in the UK had **been trafficked** and that a further **9,200** were **vulnerable migrants** who may have been trafficked
- **74%** of women in prostitution identify **poverty**, the need to pay household expenses and support their **children**, as primary motivators for being drawn into prostitution^{xxxvi}
- **70%** of those involved in street prostitution have a history of Local Authority care. Nearly half report a history of childhood sexual abuse^{xxxvii}
- Up to **95%** of women involved in on-street prostitution are problematic drug users^{xxxviii}

Rape and sexual violence Prostitution

- It is also estimated that there are **190,000 incidents of serious sexual assault** each year in the UK^{xxxix}
- **3.7 million** women in England and Wales have been sexually assaulted since the age of 16^{xl}
- A woman is **more likely to be sexually assaulted** than she is to get **breast cancer**^{xli}
- About **3%** of **men** (1 in 33) have experienced an attempted or completed rape in their lifetime^{xlii}
- **34%** of all rapes recorded by the police are committed against children under 16^{xliii}
- The police remain unaware of **87%** of serious sexual assault victims^{xliv}
- Only **6%** of rapes reported to the police result in a successful conviction^{xlv}.
- **Serious sexual violence** is most likely to be **committed by someone known** to the victim. For women who had been victims of serious sexual assault since they were 16, the most common offender was a **partner (54%)**^{xlvi}
- **Marital rape was only made a criminal act in 1991**
- The majority of perpetrators sexually assault children known to them, with about **80%** of offences taking place in the home of either the offender or the victim^{xlvii}
- **One in three** rape victims are subject to repeat victimisation^{xlviii}.
- Research shows that every year in the United Kingdom there will be almost **1,400** new cases of reported sexual abuse of people who have a **learning disability**^{xlix}
- An estimated **55,000**^l children who have experienced sexual abuse receive no therapeutic support each year because of a shortfall in the availability of therapeutic services
- Of the women who have been subject to serious sexual assault **52%** had suffered depression; **5%** had attempted suicide and **4%** had become pregnant as a result of the rape^{li}
- Women with depression are **6 times more likely** to have experienced abuse than non-depressed women^{lii}
- **36%** of people in the UK believe that a woman should be held wholly or partly responsible for being sexually assaulted or raped if she is drunk, and **26%** if she is wearing sexy or revealing clothes in public^{liii}
- The rate of **conviction** for cases involving the rape of **BME** women is significantly **lower** as compared to majority women^{liv}
- **70%** women psychiatric in-patients and **80%** of those in secure settings have histories of physical or sexual abuse^{lv}

Teenage Relationship Abuse

- **Teenage girls** between 16 and 19 are now the group **most at risk of domestic violence**, closely followed by girls aged **20-24**. "Victims of a new generation of abusers who are themselves in their teens and early twenties"^{lvi}
- **33%** of girls in an intimate relationship aged 13-17 have experienced some form of sexual partner violence^{lvii}
- Research carried out by the NSPCC^{lviii} with teenagers in 2011 revealed that **2 in 3 girls** and **1 in 3 boys** reported emotional violence in their relationships;
- **1 in 2 girls** reported some form of sexual violence.
- Approximately **half of all girls** questioned thought control was an integral aspect of an intimate relationship.
- **Teenage pregnancy heightens the risk** of domestic abuse (as does all pregnancy generally)
- **Social networking** sites are increasingly emerging as a mechanism to harass and stalk individuals. A recent NSPCC described them as a "central mechanism for partners to extend their exploitation and control ... to all aspects of young people's lives"
- **'Sex-ting'** is where an intimate partner threatens the other using explicit images received via text message.
- Those experiencing intimate violence are up to **fifteen times** more likely to **misuse alcohol** and **nine times** more likely to misuse other drugs than individuals generally^{lix}.

Female Genital Mutilation (FGM)

- The World Health Organisation estimates that globally **100 to 140 million** girls and women have undergone some type of FGM
- It is estimated that **23,000 girls under the age of 15** are **at risk of FGM** in the UK.^{lx} Approximately **66,000 women** in the UK have already had their genitals mutilated
- Between 2001 and 2004 **471** maternities were to women with Female Genital Mutilation (amounting to **6.08%**)^{lxi}
- FGM is **most frequently carried out on young girls** between infancy and the age of 15

Forced Marriage

- In 2010 **1735 incidents** of actual or potential **forced marriage** were referred to the government's Forced Marriage Unit. Of these, **86%** of victims were female; **50** were people with learning disabilities; **36** involved victims who identified as Lesbian, Gay, Bisexual or Transgender.
- The majority (c. **65%**) of reported cases involve female victims of a South Asian background.
- Around **40%** of victims taken out of the UK to be married against their will overseas are school children.
- Whilst boys and men are affected by forced marriage, the issue **impacts girls and women in far larger numbers**^{lxii}
- In some communities women may also have to undergo **female genital mutilation** before being able to marry^{lxiii} whilst others may be subject to repeated **rape** until they become pregnant and ongoing **domestic violence** from their spouse and/or his family^{lxiv}.
- Up to half of learning disabled victims are male^{lxv}
- **51%** of Pakistani respondents to a 2011 survey, stated they knew someone who had been affected by a Forced Marriage and **29%** were worried that they or someone they knew might be at risk.
- In another study^{lxvi} with Pakistani women across London and Slough, **77%** indicated they would not approach police if they suffered a Forced Marriage because they did not want to incriminate their family members.

So-called 'Honour based violence

- There are no official statistics on 'honour based violence'. A freedom of information request to all police forces in the UK in 2010 revealed that **2823 incidents of honour based violence, including forced marriage** had been recorded by the 39 forces who responded.

Local Data

Domestic violence

- With the knowledge that 1 in 4 women and 1 in 6 men will experience Domestic Violence, we are able to estimate **24,000** females and **15,000** males, living in Barking and Dagenham will experience domestic abuse at some stage during their lifetime.
- With an incidence of **10.19 offences per 1,000 population**, Barking and Dagenham has the **highest rate of reporting** across the Metropolitan Police Service.
- Nearly **half of assault** with injury and common assault offences in Barking and Dagenham are **related to domestic violence**.
- In 2009/2010 the Borough's Multi Agency Risk Assessment Conference (MARAC) discussed **212** very high risk domestic violence cases, which involved **293** children.
- The 2011 Crime and Disorder Strategic Assessment for Barking and Dagenham identified that domestic violence victims who report are generally **white, female, aged in their 20s** and **suspects** are generally **white, male and aged 20 – 30**.
- This suggests that there is significant under-reporting amongst **33%**^{lxvii} of the remaining non-white population.
- Over **a quarter of domestic violence assault** offences in Barking and Dagenham **involve young people** as victims.
- In 2011/12 **15%** of Safeguarding Adult incidents were allegedly perpetrated by partners and **22%** perpetrated by other family members. This indicates that approximately **37%** of safeguarding alerts are domestic violence in nature.
- Between 1st April 2012 and 31st July 2012, there were 668 child safeguarding referrals made in Barking and Dagenham, of which **132** have Domestic Violence as a stated issue, this equates to **19.8%**.
- In 2010/11 **39%** of all Barking and Dagenham domestic violence **court cases** resulted in an **unsuccessful** prosecution, the 8th lowest in London. Victims failing to attend court represent **25%** of all unsuccessful outcomes.
- While it is known that alcohol does not cause domestic violence^{lxviii}, **18%** of domestic violence offences in Barking and Dagenham are identified by the police as having **alcohol** as a background feature of the incident.
- It is estimated that domestic violence costs Barking and Dagenham **£19.1 million**^{lxix} a year (this estimate does not including human and emotional costs).
- In the first 5 months of the IDSVA contract in Barking and Dagenham **134** white British victims and **115** victims from black and minority ethnic communities were referred to the service.

Stalking

- Using the British Crime Survey 2010/2011 finding that **4.1% of women** aged 16 to 59 and **3.2% of men** aged 16 to 59 **experienced stalking** in the previous year, it is possible to estimate that **1761** Men and **2368** women (aged 16-59) experiencing stalking in the last year.
- The DV 'ready reckoner' (Borough data from mid-2004) provides estimates on the number of women and girls who have been a victim of stalking based on the population size of an area. Based on the projected population of Barking and Dagenham **in 2020**, it **estimates** that **5338** will be **victims of stalking** in that year.

Trafficking

These figures are not currently collected, but work will be undertaken with colleagues across agencies to establish a baseline moving forward.

Prostitution

Barking and Dagenham police have received **28** reports about brothels since January 2012. Street prostitution appears to be limited to one area, which police believe is linked to a neighbouring borough.

Rape and sexual violence

- Compared to the rest of the country, London has the lowest percentage of successful outcomes (measured as convictions of prosecuted cases) for violence against women offences (58% were successful). [Crown Prosecution Service (2008) *Violence against women Crime Report 2007-2008*]
- Between April 2011 and March 2012, **275** sexual offences (including rape) were reported to Barking and Dagenham Metropolitan Police.
- Between 1st April and 31st July, **24** sexual abuse allegations were raised with children services in Barking and Dagenham (3.6%). In addition, of the **230** Child Protection cases, **10** have a sexual abuse category (4.3%).
- Local allegations of sexual abuse against adults at risk: **29** cases were investigated in 2010/11 and **35** cases investigated in 2011/12.

Teenage Relationship Abuse

- **Using NSPCC findings, we estimate that 18,000 girls and 9,500 boys will be experiencing emotional violence in their relationships.**

Female Genital Mutilation

- In 2009/10 **14** women from Barking and Dagenham attended the African Well Women's for FGM related treatment
- Research from Imkaan^{lxx} shows an **increase** in the number of births from women with FGM in London **from 4238 cases in 2000 to 7000 cases in 2007 – 2009.**
- The Metropolitan Police's Project Azure investigated 46 allegations of female genital mutilation in 2008/09 and 58 in 2009/10. No prosecutions were brought.

So-called 'Honour' based violence

- In 2010/2011 the Borough's Multi-Agency Risk Assessment Conference (MARAC) discussed **4 cases of honour-based violence.**

Forced Marriage

- Between December 2008 to April 2012, **366** Forced Marriage incidents and **110** Forced Marriage offences were reported to the Metropolitan Police Service.
- Between April and September 2010, there were **23 prosecutions** for forced marriage and **38** for **'honour'-based violence** in London, **4** and **13** of which were **successful**, respectively. (This equates to 17% and 34% success rate)
In 2010-11, the Newham Asian Women's Project had between **16** and **21** new referrals per quarter. About 6 women each quarter reported attempted forced marriage. The majority were South Asian girls aged between 11 and 15 who either self-referred or were referred by schools.

ⁱ Dodd et al, July 2004; Walby and Allen, 2004; Home Office, 2002

ⁱⁱ 1 in 4 women experience domestic violence over their lifetimes, and between 6-10% of women suffer domestic violence in a given year. (Council of Europe, 2002).

ⁱⁱⁱ 1 in 6 figure suggests a degree of parity, this conceals that 47% of male victims experienced a single incident with a mean average of seven incidents per victim compared with 28 per cent of female victims experiencing a single incident with a mean average of 20 incidents per victim.

^{iv} Walby & Allen, Home Office Research Study 276 Domestic violence, sexual assault and stalking: Findings from the British Crime Survey (March 2004)

^v National Crime Survey 2001/2

^{vi} Department of Health 2002

^{vii} Stark and Flitcraft, 1996; Bowker et al., 1998

^{viii} Home Office, Violence against Women opinion polling 2009

^{ix} O'Keeffe, Madeleine et al. 2007 UK Study of abuse and neglect of older people: Prevalence Study Report (National Centre for Social Research – report prepared for Comic Relief and DOH)

^x Lewis and Drife, 2001, 2005 cited McWilliams and McKiernan, 1993.

^{xi} Mezey, 1997

^{xii} Gill Hague, Ravi K Thiara, Pauline Magowan and Audrey Mullender. Making the Links: Disabled Women and Domestic Violence. Women's Aid: 2008.

^{xiii} Povey, (ed.), 2004, 2005; Home Office, 1999; Department of Health, 2005.

^{xiv} Astbury, 1999; O'Keane, 2000; Humphreys, 2003; Humphreys and Thiara, 2003; Vidgeon, 2003

^{xv} Stark and Flitcraft, 1996; Mullender, 1996

^{xvi} Shaikh, Zaibby and Nez, Farah (2000) A cultural cocktail: Asian women and alcohol misuse (Hounslow: EACH).

^{xvii} Yearnshaw, 1997.

^{xviii} Out of Sight Out of Mind, August 2010 <http://www.lgbtdomesticabuse.org.uk/service-users/what-is-domestic-abuse/domestic-abuse-info-and-research/transgender-domestic-abuse-research.htm>

^{xix} British Crime Survey 2010/11

^{xx} Smith, K. (ed), Coleman, K, Eder, S and Hall, P 2011. Homicides, firearm offences and intimate violence 2009/10 (Supplementary volume 2 to Crime in England and Wales 2009/10 2nd Edition). Home Office Statistical Bulletin 01/11. Note: Stalking is defined in the Interpersonal Violence module of the BCS as: Stalking: two or more incidents causing distress, fear or alarm of obscene/threatening unwanted letters or phone calls, waiting or loitering around home or workplace, following or watching, or interfering with or damaging personal property carried out by any person.

^{xxi} <http://www.le.ac.uk/press/stalkingsurvey.htm>

^{xxii} Victims surveyed by Echo (Electronic Communication Harassment Observation), at Bedford University, April 2011

- xxiii Townsend, 2007 'Sex slaves' win cash in landmark legal deal, The Observer, December 16
- xxiv Home Office and Scottish Executive 2007 UK Action Plan on Tackling Human Trafficking
- xxv International Organization for Migration, *Counter-Trafficking Database, 78 Countries, 1999-2006* (1999)
- xxvi Salfati, C. G. (2009) Prostitute Homicide: An Overview of the Literature and Comparison to Sexual and Non-Sexual Female Victim Homicide, pp. 51-68. In D. Canter, M. Ioannou, & D. Youngs (Eds.) *Safer Sex in the City: The Experience and Management of Street Prostitution*. The Psychology, Crime and Law Series. Aldershot: Ashgate).
- xxvii Benson, C. and Matthews, R. 1995, Street prostitution: Ten facts in search of a policy in International Journal of Sociology of the Law, Vol. 23, pp395-415
- xxviii Home Office (2004), Paying the price
- xxix Barnard, M., Hart, G. and Church, S. 2002 *Client violence against prostitute women working from street and off-street locations: A three city comparison*. Economic and Social Research Council.
- xxx Home Office (2004) Solutions and Strategies: Drug Problems and Street Sex Markets: London: UK Government
- xxxi Home Office Paying the price, 2004
- xxxii Ward, H. et al.2005
- xxxiii Home Office Paying the Price, 2004
- xxxiv <http://www.womenssupportproject.co.uk/content/prostitution/205.172/>
- xxxv The Poppy Project *Sex in the City: Mapping Commercial Sex Across London* (2004)
- xxxvi Home office (2004) Solutions and Strategies: Drug Problems and Street Sex Markets: London: UK Government
- xxxvii Home Office: Paying The Price, 2004
- xxxviii Home Office, *Paying the Price*, 2004
- xxxix Walby & Allen, Home Office Research Study 276 Domestic violence, sexual assault and stalking: Findings from the British Crime Survey (March 2004)
- xl Povey et al. *Homicides, Firearm Offences and Intimate Violence 2007/08* (Supplementary Volume 2 to 'Crime in England and Wales 2007/8), Home Office Statistical Bulletin 02/09 2009
- xli New Philanthropy Capital. 2008 *Hard Knock Life*
- xlii National Institute of Justice & Centers for Disease Control & Prevention. Prevalence, Incidence and Consequences of Violence Against Women Survey. 1998
- xliiii Walker, A. Kershaw, C and Nicholas S, Crime in England and Wales 2008/09, Home Office Statistic Bulletin July 2009
- xliv Home Office, Homicides, Firearm Offences and Intimate Violence 2006/07 3rd edition
- xlvi Metropolitan Police Service 2005 Rape Review The 2005 rape review used a team of researchers to code specifically for those cases that were reported in the period of April and May 2005. http://www.met.police.uk/sapphire/documents/084796_r2_final_rape_allegations_london.pdf
- xlvii Findings from the British Crime Survey 2009/10
- xlviii Grubin, Don (1998) Sex offending against children: understanding the risk (PDF). London: Home Office. pp.v-vi and p.26. Based on a six year average from British Crime Survey (2004/5 to 2009/10)
- xliv Behind Closed Doors', *Mencap, Respond and Voice UK 2001*
- li Allnock, Debra et al (2009) Sexual abuse and therapeutic services for children and young people: the gap between provision and need. London: NSPCC.
- lii British Crime Survey, Walby and Allen, 2004
- liii Hegarty, 2004.
- liiii Home Office, Violence against Women opinion polling 2009
- liv Report by Dr Geetanjali Gangoli, Coordinating Officer, Violence Against Women Research Group, School for Policy Studies, University of Bristol.Old Stories, New Lives: Report of a National Conference Marking the International Day of Action Against Violence Against Women and Southall Black Sisters' 25th Anniversary.
- lv Phillips, 2000; Department of Health, 2002.
- lvi Keir Starmer, the Director of Public Prosecutions, 2011.
- lvii Barter et al., Partner Exploitation and Violence in Teenage Intimate Relationships, NSPCC 2009.
- lviii Wood, Barter & Berridge, 'Standing on my own two feet': Disadvantaged Teenagers, Intimate Partner Violence and Coercive Control, Funded by the NSPCC March 2011
- lix Stark, E. and Flitcraft, A. 1996 *op.cit.*; Maryland Department of Health, Journal of American Medical Association 2001, quoted in Lewis, Gwynneth, Drife, James, et al. 2001 Why mothers die 1997-1999: Report from the Confidential Enquiries into Maternal Deaths in the United Kingdom (London: RCOG Press).
- lx Home Office
- lxi FORWARD, A Statistical study to eliminate the prevalence of FGM in England and Wales 2007, cited in NHS Barking and Dagenham Domestic Violence and Violence against Women and Children Strategy and Action Plan 2010- 2013, Equality Impact Assessment p.15-25
- lxii UNICEF, 2005
- lxiii HM Government, 2008
- lxiv Refuge, A scoping study on the experience of women from Middle Eastern and North East African Communities 2009
- lxv Forced Marriage Unit 2010
- lxvi JAN Trust carried out a consultation with 1000 grass roots Pakistani women across London and Slough over three years from 2008-2011.
- lxvii The majority White population has changed from 85% in 2001 to 67% in 2011 (B&D JSNA 2010-11).
- lxviii Presence of alcohol : Barking and Dagenham's rate of alcohol attributable violent crimes is the sixth highest in London and the 2010 Crime Strategic Assessment showed 17% of all Domestic violence offences in 2009/10 were alcohol related. However, there is no national evidence to show that alcohol use directly causes DV. The reasons why DV happens are complex and varied. The presence of alcohol must be viewed with caution and viewed against the social factors and the underlying beliefs of violence against women, sexism, and gender entitlement that underpin Domestic Violence. <http://www.barkinganddagenhamjsna.org.uk/Documents/2011-section6.pdf>
- lxix The 19.1 million estimate is from the Henry Smith and Trust for London calculation which doesn't include the Human and Emotional costs (Sylvia Walby's estimates included Human and Emotional Cost and increased the local cost to c. £80million).
- lxx Imkaan – A national second-tier charity for Black Asian Minority Ethnic Refugee working on the Violence Against Women and Girl issue. <http://www.imkaan.org.uk>

This page is intentionally left blank

Together Against Violence

A Domestic and Sexual
Violence Strategy Delivery
Plan
for Barking and Dagenham
2012 – 2015



Contents

	PAGE
Outcomes of Domestic and Sexual Violence Delivery Plan 2012-15	3
Objective one: To PREVENT domestic and sexual violence from happening in the first instance.	5
Objective two: To PROVIDE SUPPORT to victims where violence does occur.	7
Objective three: To REDUCE THE RISK and BRING PERPETRATORS TO JUSTICE .	9
Objective four: To WORK IN PARTNERSHIP locally to achieve the best outcomes for victims.	10

Outcomes

<p>Our Vision and Overarching Outcome</p>	<p>To ensure that the Partnership has an effective co-ordinated community response to domestic and sexual violence.</p>
<p>Our Priority Objectives</p>	<p>Outcomes</p> <p>By 2015 we aim to have achieved the following:</p>
<p>1. To PREVENT domestic and sexual violence from happening in the first place.</p>	<ul style="list-style-type: none">• A suitably trained universal services workforce, able to appropriately recognise, refer and support survivors to safely exit all forms of domestic and sexual violence.• Health Services (Maternity, Sexual Health, GPs) to increase the early identification of women and girls who have experienced or are at risk of experiencing FGM by 10% year on year.• A reduction of 2% of repeat domestic violence incidents reported to the MARAC.
<p>2. To PROVIDE SUPPORT to victims where violence does occur.</p>	<ul style="list-style-type: none">• All victims attending court are offered active advocacy support at Court.• The development of a joint Health and Social Care Commissioning Framework to ensure that victims have regional access to specialist domestic and sexual violence services.• Schools and colleges to ensure that staff are aware of how violence may affect young people's behaviour and what action they should take if they suspect that it is.

Outcomes

Our Vision and Overarching Outcome	To ensure that the Partnership has an effective co-ordinated community response to domestic and sexual violence.
Our Priority Objectives	Outcomes
3. To REDUCE THE RISK and BRING PERPETRATORS TO JUSTICE.	By 2015 we aim to have achieved the following: <ul style="list-style-type: none">• An increase in the sanction detection rate of domestic and sexual violence incidents.• A reduction in the number of ‘ineffective’¹ domestic and sexual violence cases through the courts.
4. To WORK IN PARTNERSHIP locally to achieve the best outcomes for victims.	<ul style="list-style-type: none">• An increase in the Partnership’s local understanding of the prevalence of the different strands of domestic and sexual violence through improved data recording and monitoring.• The development and implementation of an operational plan for responding to the impact of criminal gangs and serious youth violence on women and girls.

¹ Ineffective trial: on the trial date the expected progress is not made due to action or inaction by one or more of the prosecution, the defence or the court and a further listing for trial is required

Objective one: To PREVENT domestic and sexual violence from happening in the first instance.

PRIORITY AREAS	ACTION	BY WHEN	LED BY
1.1 Increase the identification of domestic and sexual violence in frontline universal services.	1.1.2 Improve understanding amongst professionals and practitioners working in universal services of domestic and sexual violence to increase identification and referrals to specialist services (such as school inclusion officers, school nurses, school counsellors, sexual health services, schools police officers, youth groups, GPs, health visitors, learning disability sector, mental health services, day centres, voluntary sector, fora).	1.1.1 March 2015	Leads to be agreed for all objectives at the next DV & SV Strategic Group on 24 October 2012.
1.2 Support survivors to recover after abuse.	1.2.1 Multi-agency partnership to establish a sustainable local 'post-abuse' support service for children and young people who have witnessed domestic violence and abuse.	1.2.1 December 2014	1.2.1
1.3 Embed lessons and good working practice.	1.3.1 Continued implementation of lessons learned from Domestic Violence Homicide reviews through learning events. 1.3.2 Utilise existing national training material, such as 'Stop It Now' and 'Cut them Free', as well as existing partnership training resources, for continuity and best value for money.	1.3.1 Ongoing 1.3.2 May 2013	1.3.1 1.3.2
1.4 Cultivate community leadership in challenging damaging attitudes.	1.4.1 Local men supported to reclaim the Borough's 'White Ribbon Day' events to show that men are taking responsibility for reducing the level of violence against women. 1.4.2 Annual community communication campaign: raising awareness of the different types/forms of domestic and sexual	1.4.1 November 2012 1.4.2 Annual	1.4.1 1.4.2

PRIORITY AREAS	ACTION	BY WHEN	LED BY
	<p>violence.</p> <p>1.4.3 Establish links to Faith Forum to seek appropriate leadership around challenging some ‘cultural’ perceptions of disability which increase risk of victimisation.</p> <p>1.4.4 Explore local model of community intervention in trafficking (based on the Croydon based project YCHAT).</p> <p>1.4.5 Establish partnerships with specialist grass root groups (such as JAN Trust) to lead local engagement with targeted community groups around domestic and sexual violence.</p>	<p>1.4.3 January 2013</p> <p>1.4.4 May 2013</p> <p>1.4.5. September 2013</p>	<p>1.4.3</p> <p>1.4.4</p> <p>1.4.5</p>
<p>1.5 Learn from the Specialists.</p>	<p>1.5.1 Establish links with regional specialist services (i.e. Beverley Lewis House which offers support for women with learning disabilities who have been victims of forced marriages; Newham Asian Women’s Project who lead work on harmful practice).</p> <p>1.5.2 Continued consultation with informal and formal Carers to better raise awareness of the role of carers in preventing abuse of adults at risk.</p>	<p>1.5.1 May 2013</p> <p>1.5.2 Ongoing</p>	<p>1.5.1</p> <p>1.5.2</p>
<p>1.6 Prevent future victimisation through education and empowerment.</p>	<p>1.6.1 Target schools to improve understanding of domestic and sexual violence amongst young people; including cyber-based harassment violence and abuse, links to dating violence, serious youth violence, and sexual exploitation.</p> <p>1.6.2 Work with local learning disability sector to raise awareness with service users, e.g. forced marriage, ‘mate’ crime.</p>	<p>1.6.1 March 2014</p> <p>1.6.2 March 2014</p>	<p>1.6.1</p> <p>1.6.2</p>

Objective two: To PROVIDE SUPPORT to victims where violence does occur

PRIORITY AREAS	SUCCESS MEASURES	BY WHEN	LED BY
2.1 Enable safe disclosures.	2.1.1 The expansion of routine inquiry to include harmful practices.	2.1.1 December 2013	2.1.1
	2.1.2 The expansion of routine inquiry to include teenage pregnancy services.	2.1.2 March 2014	2.1.2
	2.1.3 Professionals routinely seek to see 'adults at risk' separately from their carers.	2.1.3 November 2014	2.1.3
2.2 Approachable, accessible and supportive universal services.	2.2.1 Increase referrals to Independent Domestic & Sexual Violence Advocates (IDSVAs) from GPs, Sexual Health Services, and Maternity Services through targeted domestic and sexual violence awareness briefings, uniform screening tools, and referral pathways for patients.	2.2.1 March 2015	2.2.1
	2.2.2 Increased referrals to IDSVAs from services working with Adults at Risk (e.g. residential homes, nursing homes, home care services, day services, supported living, adult social care services, mental health services, community groups) through targeted awareness raising and training.	2.2.2 March 2015	2.2.2
	2.2.3 Work with local Teenage Pregnancy services to raise awareness of domestic and sexual violence support services.	2.2.3 September 2013	2.2.3
	2.2.4 Implement mandatory domestic violence training for housing staff to ensure all domestic violence victims are offered referral to specialist support services	2.2.4 September 2014	2.2.4
	2.2.5 Housing working with local residents organisations to help prevent abuse through awareness raising campaigns ensuring that adult safeguarding is embedded into the strategic and business action plans of Housing Association Partners	2.2.5 Ongoing	2.2.5

PRIORITY AREAS	SUCCESS MEASURES	BY WHEN	LED BY
	<p>2.2.6 Ensure images used in domestic and sexual awareness material is representative of different age groups, genders, ethnicities, sexual orientation etc.</p>	<p>2.2.6 Ongoing</p>	<p>2.2.6</p>
<p>2.3 To ensure that the partnership provides clear and consistent public messages of support available.</p>	<p>2.3.1 Expansion of existing resources to encompass all forms of domestic and sexual violence in accessible formats. 2.3.2 Development of a local domestic violence & sexual violence directory of services. 2.3.3 Ensure Partnership communication campaigns consistently challenges myths around domestic and sexual violence. 2.3.4 Ensure that exit information around prostitution includes support information around substance misuse, immigration and asylum, and acknowledges the potential risks of 'honour'-based violence and trafficking. 2.3.5 Work with relevant partners to disseminate information safely to victims and perpetrators. 2.3.6 Target information via LGBT services and services that men may access to improve understanding around what services are available for them.</p>	<p>2.3.1 March 2015 2.3.2 December 2013 2.3.3 Ongoing 2.3.4 October 2014 2.3.5 Ongoing 2.3.6 March 2013</p>	<p>2.3.1 2.3.2 2.3.3 2.3.4 2.3.5 2.3.6</p>

Objective three: To REDUCE THE RISK and BRING PERPETRATORS TO JUSTICE

PRIORITY AREAS	SUCCESS MEASURES	BY WHEN	LED BY
3.1 To establish mechanisms to monitor and evaluate the outcomes of interventions to victims, children and perpetrators.	3.1.2 Work in partnership to gather information on longer term outcomes for survivors and perpetrators.	3.1.1 March 2015	3.1.1
	3.1.3 Service user led evaluation of existing provisions	3.1.2 November 2014	3.1.2
3.2 Improving victim safety and satisfaction through the Criminal Justice system	3.2.1 Develop a system to monitor the number of victims offered specialist IDSPA support through court.	3.2.1 November 2014	3.2.1
	3.2.2 Sustain funding for MARACs, ISVAs and IDVAs.	3.2.2 Ongoing	3.2.2
3.3 Holding perpetrators to account	3.3.1 Communication campaign targeting those who use prostitutes.	3.3.1 March 2015	3.3.1
	3.3.2 Introduction of housing targets to increase the number of tenants evicted from their home specifically for breach of tenancy agreement as a result of perpetrating domestic violence.	3.3.1 March 2014	3.3.1
	3.3.3 Work with colleagues in London Probation to further develop male focussed interventions (e.g. IDAP, Caring Dads) to take account of emerging gaps such as teenage intimate violence, gang related sexual exploitation.	3.3.2 March 2014	3.3.2

Objective four: To WORK IN PARTNERSHIP locally to achieve the best outcomes for victims.

PRIORITY AREAS	SUCCESS MEASURES	BY WHEN	LED BY
4.1 To increase local understanding of the prevalence of domestic and sexual violence and to use this information to increase reports from under-represented groups).	4.1.1 Evidence of mapping of non-statutory services/groups which may have contact with victims of domestic and sexual violence.	4.1.1 December 2012	4.1.1
	4.1.2 Evidence of the routine collection of local data (including non-statutory services) around forced marriage, sexual exploitation and prostitution, female genital mutilation, trafficking, stalking, and sexual violence.	4.1.2 March 2013	4.1.2
	4.1.3 Evidence of analysis of local reporting data by age, disability, gender, pregnancy, race, religion or belief, and sexual orientation).	4.1.3 September 2013	4.1.3
	4.1.4 Evidence of targeted consultation with under-reporting groups to better understand local barriers individuals face.	4.1.4 December 2013	4.1.4
	4.1.5 Evidence of intelligence-led outreach with under-reporting groups.	4.1.5 March 2014	4.1.5
	4.1.6 Evidence of increase reporting amongst 'under-represented' groups.	4.1.6 March 2015	4.1.6
4.2 To deliver services that are effective and relevant for local people.	4.2.1 Evidence of results of consultation shaping the commissioning of service provision moving forward	4.2.1 March 2014	4.2.1
	4.2.2 Evidence of barriers identified through consultation, being escalated to appropriate agencies for resolution.	4.2.2 March 2014	4.2.2
	4.2.3 The development of a joint Health and Social Care Commissioning Framework to ensure victims have regional access to inclusive domestic and sexual violence services.	4.2.3 December 2014	4.2.3

PRIORITY AREAS	SUCCESS MEASURES	BY WHEN	LED BY
<p>4.3 To improve cross sector information sharing</p>	<p>4.3.1 The establishment of a local Multi-Agency Safeguarding Hub (MASH) to include a response to domestic and sexual violence.</p> <p>4.3.2 Established referral pathway across Partnership projects such as Troubled Families, Family Intervention Project, and specialist domestic and sexual violence services to ensure that victims of abuse and violence receive appropriate support.</p>	<p>4.3.1 March 2014</p> <p>4.3.2 March 2014</p>	<p>4.3.1</p> <p>4.3.2</p>
<p>4.4 Develop and deliver targeted work plans</p>	<p>4.4.1 Evidence of the development and implementation of a partnership operation plan for responding to the impact of criminal gangs and serious youth violence on women and girls.</p> <p>4.4.2 Evidence of the implementation of a sexual exploitation work plan led by the Young People Domestic and Sexual Violence Group.</p> <p>4.4.3 Evidence that the partnership is working collectively to address the inequalities facing women with complex needs (mental health/ substance misuse) accessing mainstream domestic and sexual violence services</p>	<p>4.4.1 March 2015</p> <p>4.4.2 March 2015</p> <p>4.4.3 March 2015</p>	<p>4.4.1</p> <p>4.4.2</p> <p>4.4.3</p>

This page is intentionally left blank

CABINET

13 November 2012

Title: Council Owned Infill Sites for Housing	
Report of the Cabinet Members for Regeneration and Housing	
Open Report	For Decision
Wards Affected: Abbey, Becontree, Eastbury, Eastbrook, Heath, Mayesbrook, Whalebone and Village	Key Decision: Yes
Report Author: Naomi Pomfret, Planning Policy Manager	Contact Details: Tel: 020 8724 8097 E-mail: Naomi.pomfret@lbbd.gov.uk
Accountable Divisional Director: Jeremy Grint, Divisional Director Regeneration	
Accountable Director: Graham Farrant, Chief Executive	
<p>Summary</p> <p>At its meeting on 24 July 2012, Cabinet agreed a programme of Council house building to 2017 to be funded through a combination of £30 million from the Housing Revenue Account (HRA), as set out in the HRA Business Plan and Homes and Communities Affordable Housing Programme 2011/15 funding (minute 31 refers). The same report noted that an extended new build programme would be brought to Cabinet for approval and that this would predominantly focus on addressing localised issues and development opportunities that exist on a number of relatively small infill opportunity sites.</p> <p>Subsequently officers have conducted a review of all the Council's vacant or underused sites and identified 18 sites with the potential for a total of 76 family homes and 50 flats. The purpose of this report is to seek Member approval to bring these sites forward for housing within the next five years and to procure the necessary design, consultancy and related services and works to build these. The sites will be developed for Council housing. The most appropriate mix for each site in terms of unit size can only be confirmed once the feasibility work has been undertaken. It is suggested that a steering group chaired by the Cabinet Member for Housing and attended by the relevant ward Councillors is established to consider the emerging plans for these sites and to agree the most appropriate mix of housing for each site.</p> <p>The total cost of developing the infill sites is estimated to be £18.9m on the basis that each home would cost c£150,000 to deliver. In addition Members should also note that a separate report on 'potential eyesore sites' will be reported to a future Cabinet which will have additional financial implications for the HRA.</p> <p>Figure 1 gives details of the sites and Appendix 1 to this report provides a series of maps detailing the location of the sites.</p>	

Recommendation(s)

The Cabinet is asked to:

- (i) Approve the principle of bringing forward 18 underused infill sites for housing (Use Class C3);
- (ii) Cease letting garages on the infill sites detailed, on approval of this report;
- (iii) Delegate authority to the Chief Executive, in consultation with the Corporate Director of Housing and Environment, the Head of Legal and Democratic Services and the Cabinet Member for Housing, to agree terms and a detailed financial cost plan and procure the necessary design, consultancy and related services and works necessary to realise the developments in the manner proposed in this report and to award and enter into all necessary and appropriate contracts and documentation to realise each scheme;
- (iv) Delegate authority to the Corporate Director of Housing and Environment, in consultation with the Cabinet Member for Housing, to determine the prioritising of the 18 projects listed in the report, taking into account factors such as the outcome of public consultation, the likely delivery timescales and funding availability; and
- (v) To examine the possibility of bringing forward other HRA owned sites.

Reason(s)

Development of these sites will help to deliver the Council's Policy House objective of 'Better Home' by helping to achieve the following outcomes:

- A borough with more affordable housing for local residents, with a particular focus on family-sized houses.
- A borough with improved estates and homes that people choose to live in, whether owned by the Council, other social landlords, privately rented or owned.

It will therefore also help deliver outcomes under the 'Better Together' theme including:

- A borough in which people are proud and satisfied to live and work.

1. Introduction and Background

1.1 Officers have conducted a review of all the Council's vacant or underused sites and identified 18 sites with the potential for family housing. The purpose of this report is to seek Member approval to bring these sites forward for housing within the next five years and to procure the necessary design, consultancy and related services and works to build these. Figure 1 gives details of the sites and Appendix 1 to this report provides a series of maps detailing the location of the sites.

1.2 Barking and Dagenham has experienced rapid population growth, as evidenced in the publication of the initial release of the 2011 Census data earlier this year. This revealed a population growth of 22,000 from 2001 to 2011. It also showed that Barking and Dagenham has the highest proportion of pre-school aged children in the country. These circumstances put additional pressure on the borough's existing

housing stock. This is further evidenced in the Barking and Dagenham Housing Strategy 2012-2017 which identifies a rise in the number of households on the Council's Housing Needs Register (HNR) with the waiting list increasing from 2,157 in 2001 to over 12,000 in 2011. The Barking and Dagenham Housing Needs Survey (2011) identifies a clear need for new affordable housing with a priority for family-sized (3+bed) affordable housing. Objective 1 of the Housing Strategy 'Delivering social and economic regeneration through building high quality homes and thriving communities', highlights the provision of new social housing as a key Council priority. These findings are reflected in the Council's Statement of Priorities 2012-13 and one of its four themes 'Better Home'. The Council has established a clear set of objectives for the delivery of new housing.

2. Proposal and Issues

- 2.1 The 18 infill sites, set out in Figure 1 below, have not been allocated for housing in the Council's adopted Local Development Framework (LDF). Neither do any of these sites have any special designation; none of these sites are protected open space or sites of importance for nature conservation for example. Therefore bringing these sites forward for housing would not conflict with the Borough's planning policies or environmental objectives.
- 2.2 In addition to the sites proposed in this report, it should be noted that another report will be brought to Cabinet in December 2012 setting out a number of privately owned sites which the Council could purchase with potential to deliver new homes for affordable rent. When considering the financial implications of funding the infill sites, the potential for delivering new housing on these additional 'potential eyesore sites' should also be considered as part of the overall strategy.
- 2.3 The eyesore sites are generally situated in prominent locations (along main roads, near to retail parades) as well as in comparatively more deprived communities. Therefore, the wider physical and socio-economic regeneration benefits of bringing these sites forward for redevelopment must also be considered.

Figure 1: Vacant or underused infill sites identified for residential development

Garage Sites					
Map Ref	Site Name	Ward	Existing use	Area / Hectares	Potential Number of new dwellings
1	Bevan Avenue	Eastbury	Garage site.	0.10	3 houses
2	Wheatley Mansion	Eastbury	Garage site.	0.03	2 houses
3	Keir Hardie Way	Eastbury	Garage site.	0.19	3 houses
4	Porters Avenue / near Bromhall Road	Mayesbrook	Garage site with narrow access.	0.12	4 houses
5	Ilchester Road	Mayesbrook/ Becontree	Garage site, opposite Lillechurch Road.	0.17	6 houses
6	Ilchester Road	Mayesbrook/ Becontree	Garage site, opposite Ivinghoe Road.	0.15	6 houses

7	Corner of Oxlow Lane & Rainham Road North (Webbs Croft Rd)	Heath	Garage site Awkward shape and positioning of surrounding buildings limits capacity	0.14	3 houses.
8	Limbourne Avenue / Crow Lane	Whalebone	Garage and amenity site south of the railway line.	0.32	Up to 30 flats, dependent on site constraints
Car Park Sites					
9	Maxey Road	Heath	Car park site, awkward shape site.	0.11	2 houses
10	Salisbury Road	Village	Car park.	0.28	10 houses
11	Highland Avenue	Eastbrook	Car park / green site. Part of site needs to be kept open to provide access to existing houses.	0.14	3 houses
Green Sites with low amenity value and not protected in Local Development Framework					
12	Northern Relief Road, rear of Whiting Avenue	Abbey	Green site. Not all of the site is suitable for development due to the slope of the site.	0.65	20 flats
13	Margaret Bondfield Avenue	Eastbury	Green site used as amenity area.	0.18	6 terraced houses
14	Basedale Road	Mayesbrook	Green site. Corner plot, the southern portion of the site should not be developed due to the topography.	0.27	3 houses
15	Ilchester Road	Mayesbrook/Becontree	Green site. Opposite footpath to Markyate Road.	0.12	2 houses due to need to retain access
16	Humphries Close	Heath	Green site at the top of Weston Green.	0.13	3 houses
17	Stansgate	Heath	Large green	0.80	15 houses

	Road		site/garage site providing pedestrian access to Stour Road.		
18	Church Lane	Village	Green site.	0.16	5 houses

2.4 Should all of the 18 individual sites, be brought forward, based on the assumptions above, 76 family homes and 50 flats could be delivered across the 4.06 ha of land. Of the sites identified the current land use is broken down as follows:

- 8 garage sites. None of these sites were included in the report to Cabinet on 22 May 2012 for improving garage management and enhancing the parking facilities available to residents of and visitors to the Borough (minute 4 refers). Consultation with the Director of Housing and Environment has confirmed that the identified garage sites should be included
- 2 car park sites
- 7 green sites with low amenity value and not protected in the Local Development Framework
- 1 car park/unallocated green space site

2.5 Assumptions on the number of dwellings that can be accommodated on each site are set out in Figure 1. The suggested housing numbers have been made based on low-rise, two storey, family house (3+bed) units being brought forward on all but two of the sites. Site 11, due to its proximity to the Northern Relief Road and its topography would not be suitable for family housing. As such, a flatted development is considered to be more appropriate for this site. Flatted development is also proposed for Site 8 due to its setting, in particular its proximity to the railway line.

2.6 Infill development can meet the needs of both the environment and communities bringing new housing, jobs, and public revenues and addressing longstanding economic isolation. The Council's statement of priorities and our Joint draft Health and Wellbeing Strategy support this approach on a number of levels.

2.7 The design and layout of these sites will require careful consideration to ensure that the new homes fit into and enhance the character of the surrounding areas. In this regard it is not only the design of the homes which is important but also making sure the mix and size of homes is suitable for each location. The design ethos is key to improving health and wellbeing to deliver good quality homes that are both environmentally responsible and healthy places to live in. The homes should be designed and built so that minimum energy and water are used by the occupants of the buildings. This will dramatically reduce the running costs and carbon emissions of the homes, making them more affordable and environmentally sound. Equally by directing new housing, and people, to sites within existing settlements it can help provide the critical mass needed to either provide or enhance existing services, such as public transport, health care, and shops. This can aid the reduction in the need to travel by private car and prevent unchecked urban sprawl, which in turn can help aid the achievement of wider sustainability and place making goals. Should Members be minded to approve the principle of these sites for housing, Officers will

need to progress with the necessary feasibility, design and construction studies to confirm the sites are capable of delivering the number of homes envisaged.

- 2.8 These sites by their infill-nature are surrounded by existing residential properties and since they are not included in the Local Development Framework have not been subject to any consultation. As such, should Members decided to take forward these site for development it is important that effective public consultation takes place, allowing local people to help shape their surroundings.

3. Options Appraisal

- 3.1 Failure to approve the principle of these sites for housing development would mean that a potential 76 new family homes and 50 new flats would not be built. Not developing these sites would mean that the Council's land asset would be underutilised and not contribute to lessening the shortage of housing. As set out earlier in the report one of the key objectives of the Council's Housing Strategy is the provision of more affordable housing for local residents. Furthermore, a proportion of these sites are vacant garage sites which could be considered to detract from the visual amenity of the borough. Bringing these sites forward would not only provide much needed family housing but should, with careful design, improve the environment for the borough's residents. For these reasons, and the reasons set out in the report, Officers consider that doing nothing is not an option.

4. Consultation

- 4.1 No public consultation has been conducted to date on these sites. Should Members approve the principle of these sites as being suitable for housing it is imperative, given the proximity of these sites to existing homes, that the community is engaged from an early stage. It is suggested that a steering group chaired by the Lead Member for Housing and attended by the relevant ward Councillors is established to consider the emerging plans for these sites and to agree the most appropriate mix of housing for each.

5. Financial Implications

Implications completed by: Jahangir Mannan, Group Accountant

- 5.1 The financial implications cannot be fully assessed until a prioritised list of the sites to be constructed has been agreed and detailed designs for each development have been produced. The schemes will need to be prioritised based on the business case for each site. There are, however, a number of general financial implications which are detailed below.
- 5.2 The intention is for a programme of new Council homes construction to be funded from within the HRA, in which £126.9 million has been set aside for new Council house builds to 31 March 2022. This includes the application of grant secured from the Homes & Communities Agency's Affordable Housing Programme 2011/15 of £18.3 million. £96.9 million of the above budget has already been allocated to schemes detailed in the original report; the proposed £18.9 million will be funded from the balance remaining of the above budget.

- 5.3 The land on which it is proposed to develop the new homes is currently owned by the Council so there are no implications in respect of land acquisition costs. Section 106 and Community Infrastructure Levy (CIL) payments would not be forthcoming as the Council is proposing the house building schemes rather than an external developer. If there are any areas of land proposed for development in this report that are not owned by the HRA, and currently sit within the General Fund, these will need to be appropriated over to the HRA. Where this is the case, the HRA CFR will be adjusted by the relevant amount and, therefore, may reduce the HRA's borrowing headroom to fund the remaining Decent Homes Programmes.
- 5.4 There will be various revenue implications in terms of the direct services to these properties, such as refuse collection and street lighting; as well as impacts/demands on existing infrastructure such as schools. The construction of these new homes will, however, increase the Council Tax base and the additional revenue generated will contribute towards offsetting the revenue implications. There will also be additional revenue pressures created within Landlord Services to manage and maintain the proposed properties. Therefore, the rents and service charges will need to be set at an appropriate level to recover these costs.
- 5.5 The Council will be awarded a New Homes Bonus (NHB) for each net addition to the housing stock, equal to £7,500 per new home. There is also an additional £2,100 per gross new affordable home built, regardless of the number of demolitions. These sums are based on an average band D Council Tax rate over a six year period. As this proposal seeks to build new, affordable homes on currently vacant sites, the Council will receive the full £9,600 per new home and, on the assumption that approximately 100 homes will be built, the Council will receive a NHB in the order of £960,000.
- 5.6 These homes are to be funded from the Housing New Build Programme which has been factored into the HRA Business Plan presented to Cabinet in July 2012. If Members approve these proposed sites for development then the New Build Programme List will be revised accordingly.

6. Legal Implications

Implications completed by: Alison Stuart, Principal Lawyer

- 6.1 By virtue of section 2, Local Government Act 2000, local authorities have the power to do anything which they consider is likely to achieve any one or more of the following objects:
- (a) the promotion or improvement of the economic well-being of their area,
 - (b) the promotion or improvement of the social well-being of their area, and
 - (c) the promotion or improvement of the environmental well-being of their area.
- (2) The power under subsection (1) may be exercised in relation to or for the benefit of—
- (a) the whole or any part of a local authority's area, or
 - (b) all or any persons resident or present in a local authority's area.

- 6.2 Section 32 of the Housing Act 1985 requires that, before housing land within the Housing Revenue Account can be transferred, the Secretary of State's consent must first be obtained.
- 6.3 S105 Housing Act 1985 provides that a landlord authority shall maintain such arrangements as it considers appropriate to enable those of its secure tenants who are likely to be substantially affected by a matter of housing management to which this section applies:
- (a) to be informed of the authority's proposals in respect of the matter, and
 - (b) to make their views known to the authority within a specified period; and the authority shall, before making any decision on the matter, consider any representations made to it in accordance with those arrangements.
- 6.4 It is envisaged that the contracts to be procured under this recommendation, would likely be of a high value, and that the requirements of the Public Contract Regulations 2006 would apply. The Council will need to ensure that the procurement processes, in relation to the contracts awarded, comply with this legislation and are conducted in a fair and transparent manner.
- 6.5 It is recommended Legal Services provide further comment once updates are brought to the delegated officer, being the Council's Corporate Finance Director or successor, outlining the further details of contracts to be procured, once the detailed financial cost plan is prepared

7. Other Implications

- 7.1 **Risk Management** - These proposed schemes will be subject to the Council's internal Capital Programme Management Office structure, this process requires all of the identified project risks to be identified and mitigated via an actively managed risk management plan before approval is given for the scheme to commence.
- 7.2 **Contractual Issues** - The proposal to deliver the proposed schemes will be through the use of the Council's existing Construction and Professional Services Frameworks to ensure compliance with both the Council's Contract Rules and the Public Contracts Regulations 2006 (as amended).
- 7.3 **Staffing Issues** - There are no staffing implications arising from this report, the Procurement of a suitably qualified design Team, the scheme development to planning application stage, the tender of a main contractor and the Project Management of the Construction period can be dealt with by officers from Regeneration, Development Management and Asset and Capital Delivery in the course of their normal duties.
- 7.4 **Customer Impact** - As outlined earlier in this report approval of the recommendations contained in this report contribute directly to the delivering the Council's Housing Strategy and one of the key principles of the Council is the provision of more affordable housing for local residents. In addition these homes will be built to Code for Sustainable Homes level 4 meaning that residents should have extremely low fuel bills.

- 7.5 **Safeguarding Children** - The development of these sites for family housing will improve conditions for those families in housing need who are housed in them.
- 7.6 **Health Issues** - The development of these sites will have a positive impact on residents by providing high quality residential accommodation. In particular, it would have a positive impact on ill health attributed to poor housing conditions and overcrowding due to a lack of housing in the Borough. General health and wellbeing will be improved as a result of improved visual appearance of the garage sites in particular, thereby increasing civic pride. Overall, bringing forward new homes would be expected to result in a benefit upon local wellbeing and an improvement of quality of life.
- 7.7 **Crime and Disorder Issues** - Section 17 of the Crime and Disorder Act 1998 places a responsibility on local authorities to consider the crime and disorder implications of any proposals.
- Levels of crime and disorder will be taken into consideration at the Planning stage of any new development to address the design of the built environment to improve community safety. Levels of crime and disorder vary between the sites and will need to be taken into consideration. This can be addressed in the design of the built environment and a change in the fabric will be a catalyst to a better, more sustainable community.
- 7.8 **Property / Asset Issues** - The proposal to redevelop these sites will keep the sites within the Council's ownership.

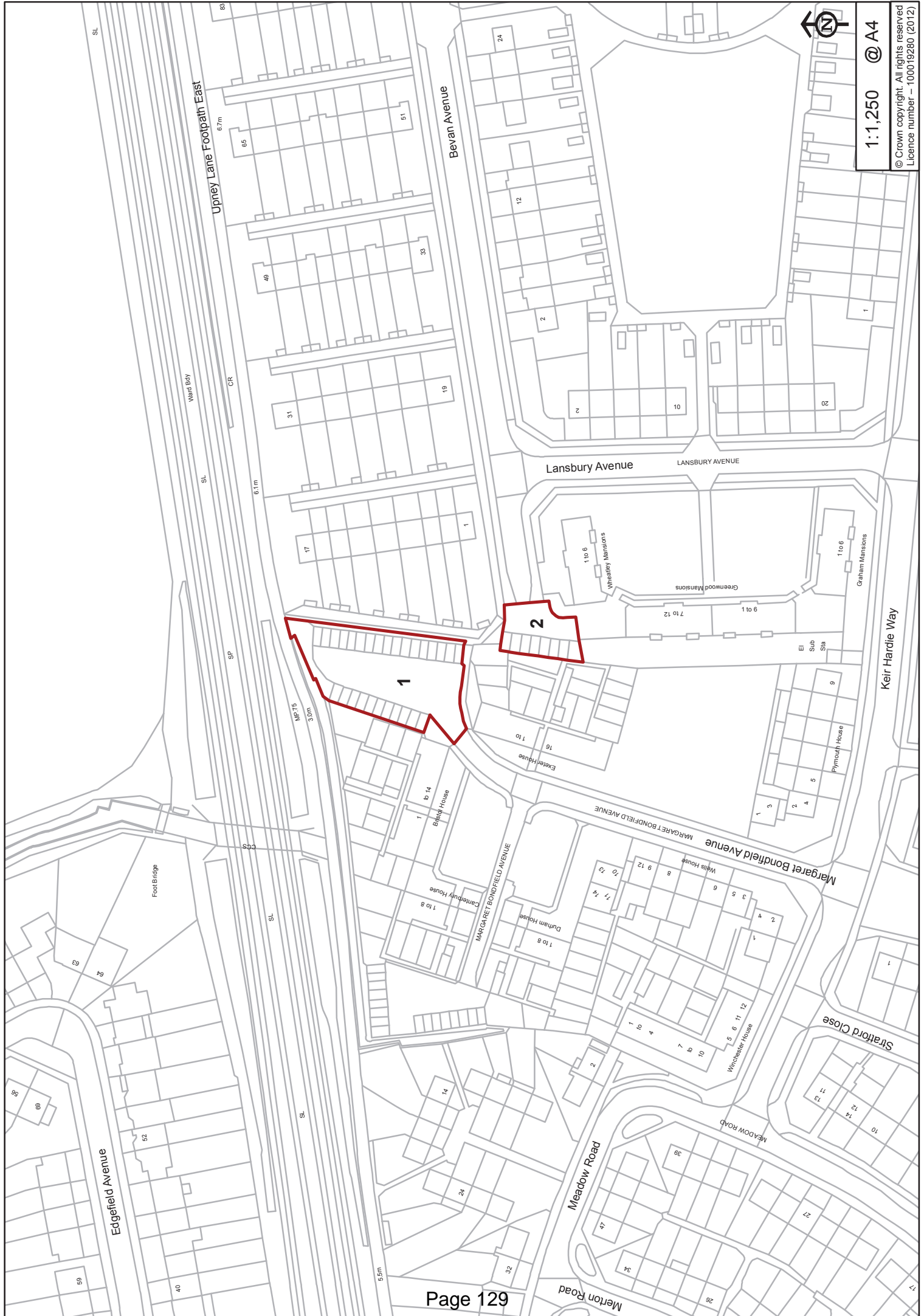
Background Papers Used in the Preparation of the Report:

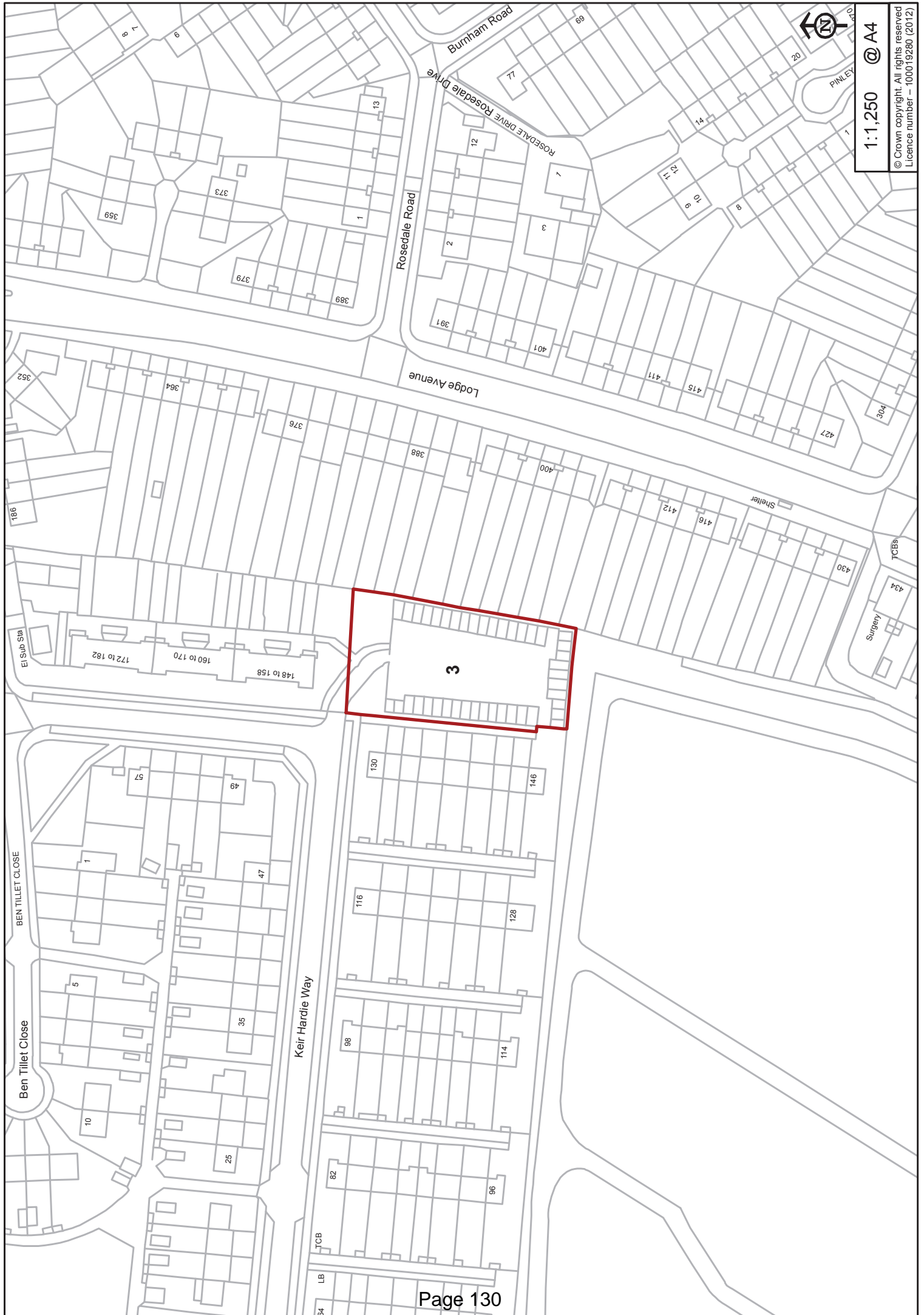
- Barking and Dagenham Strategic Housing Market Assessment and Housing Needs Survey (2011)
- National Planning Policy Framework, 2012
- Cabinet Report, 20 March 2012, Housing Strategy 2012 - 2017 and Council Housing Business Plan 2012/13, (Minute 120 – 20/03/12)
- Cabinet Report, 22 May 2012, Housing Garage Sites (Minute 4 – 22/05/12)
- Cabinet Report, 24 July 2012, Housing Capital Investment Programme 2012-2017 (Minute 31 – 24/07/12)

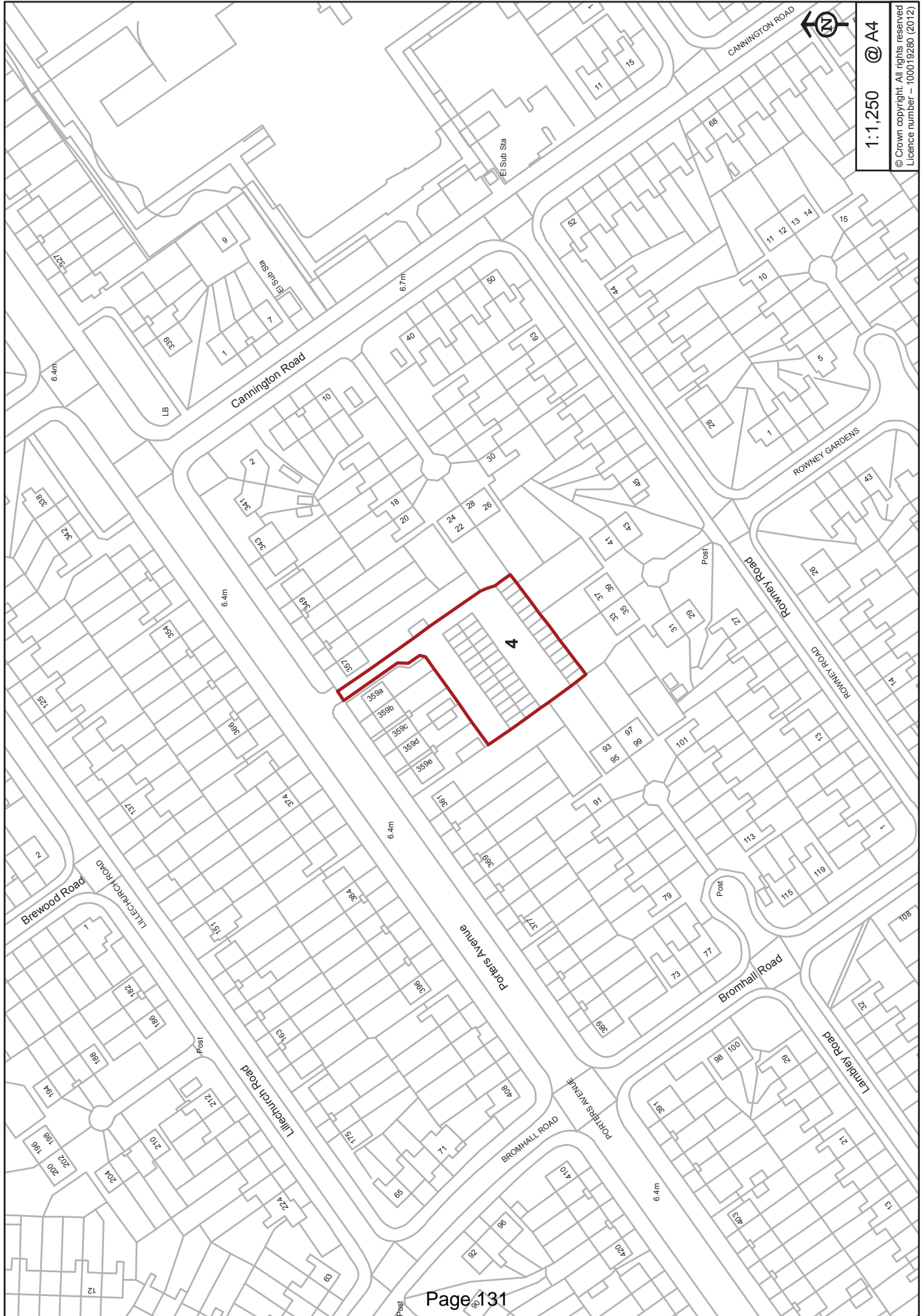
List of appendices:

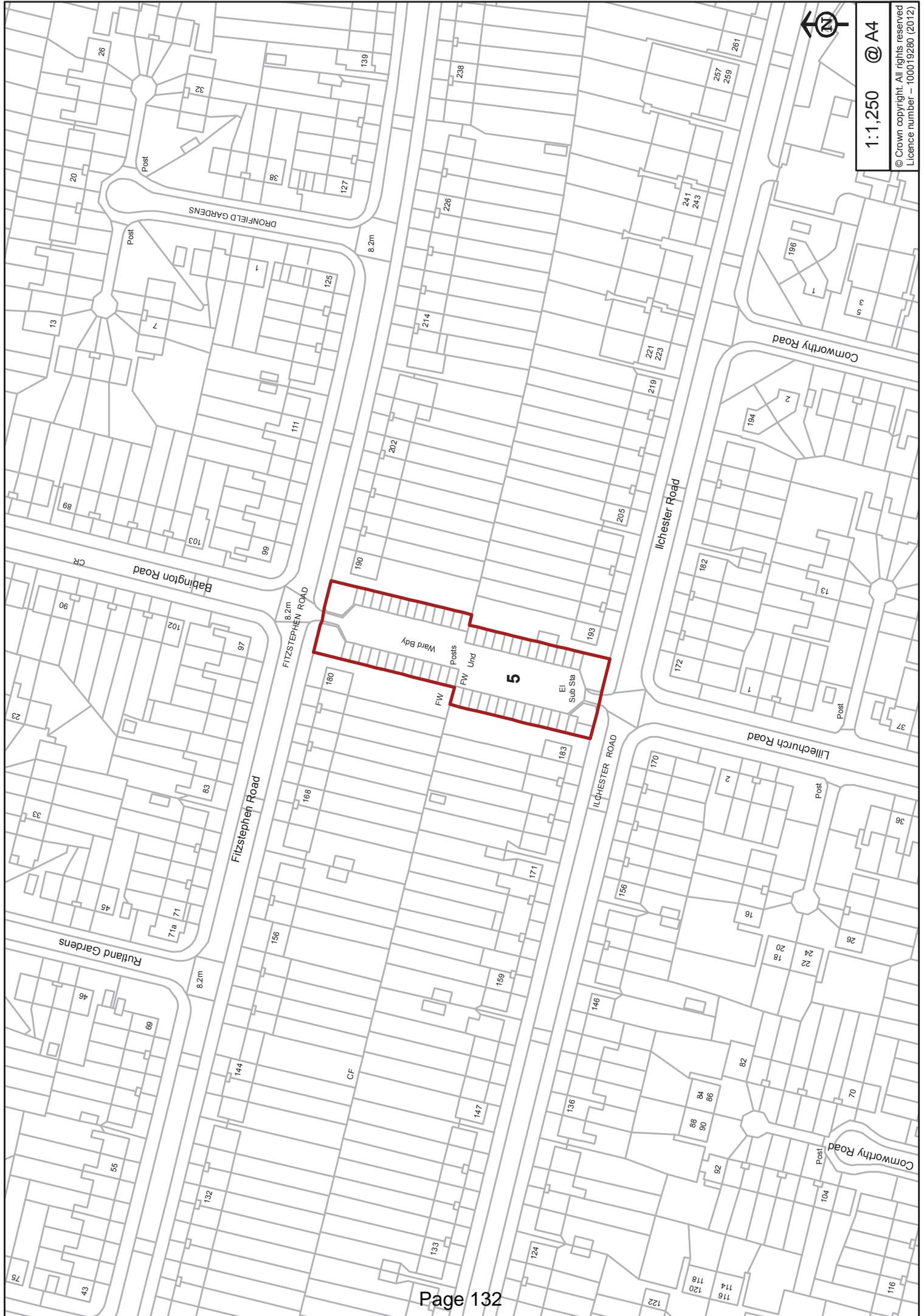
- Appendix 1: Infill Site Maps

This page is intentionally left blank



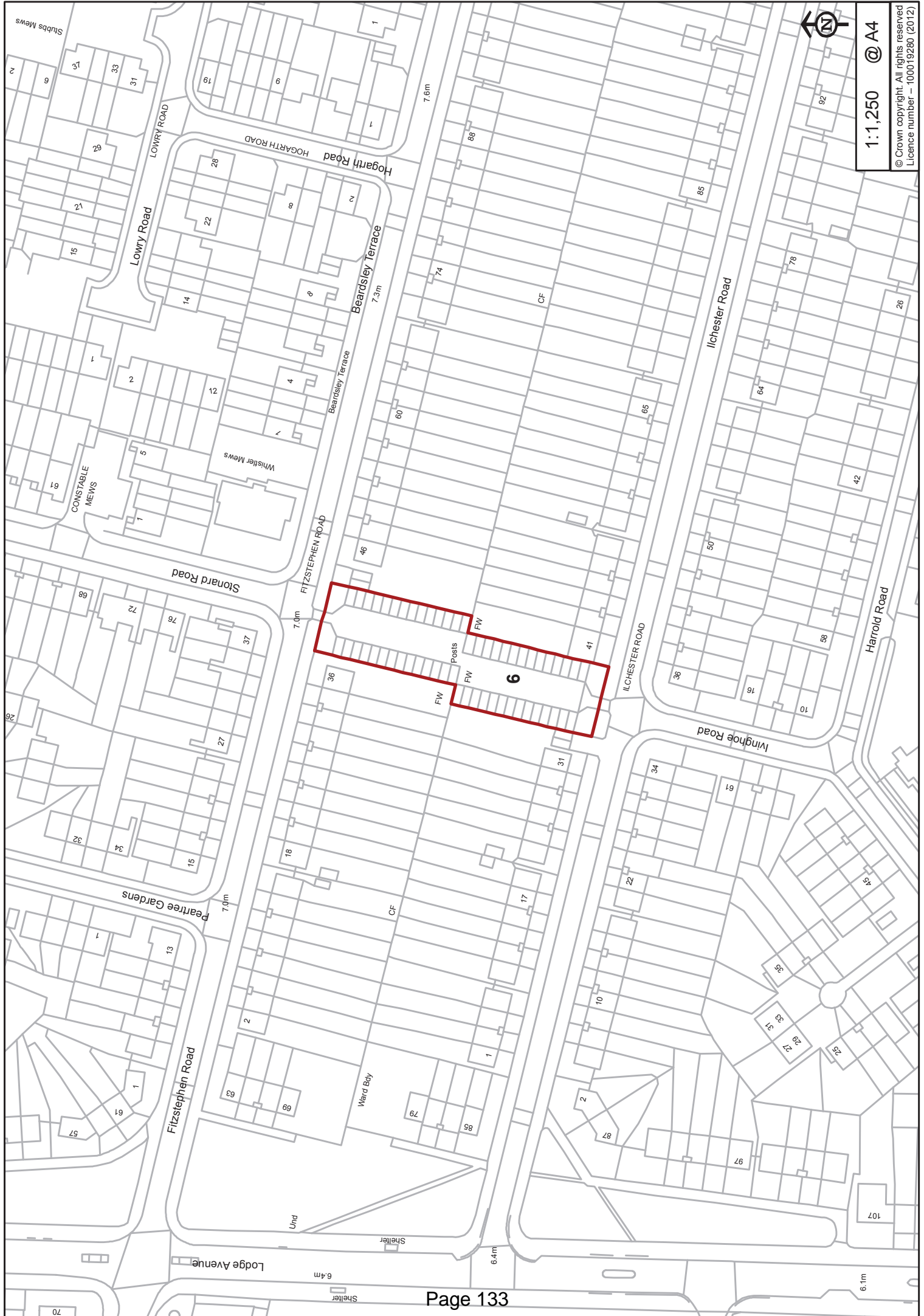


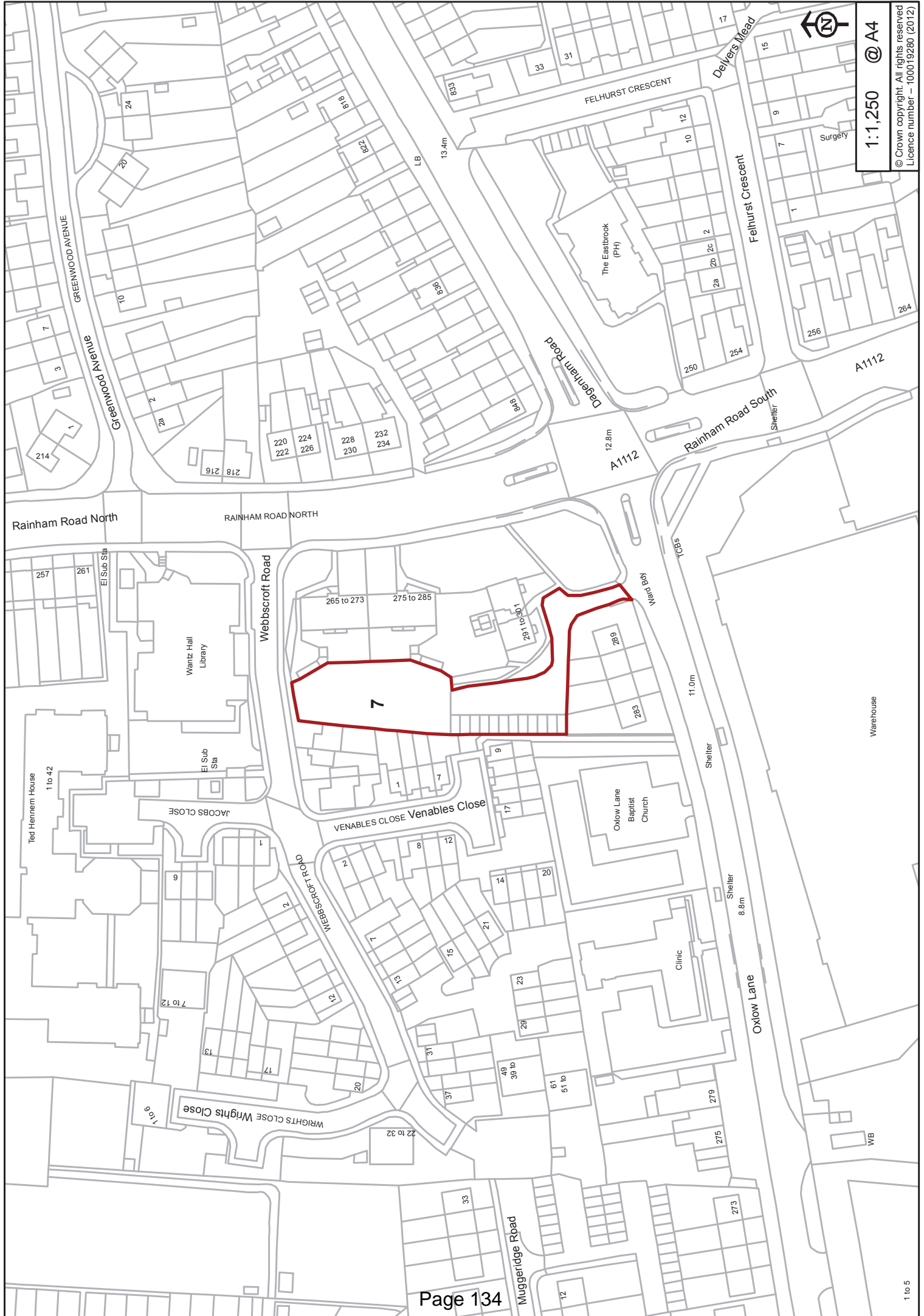


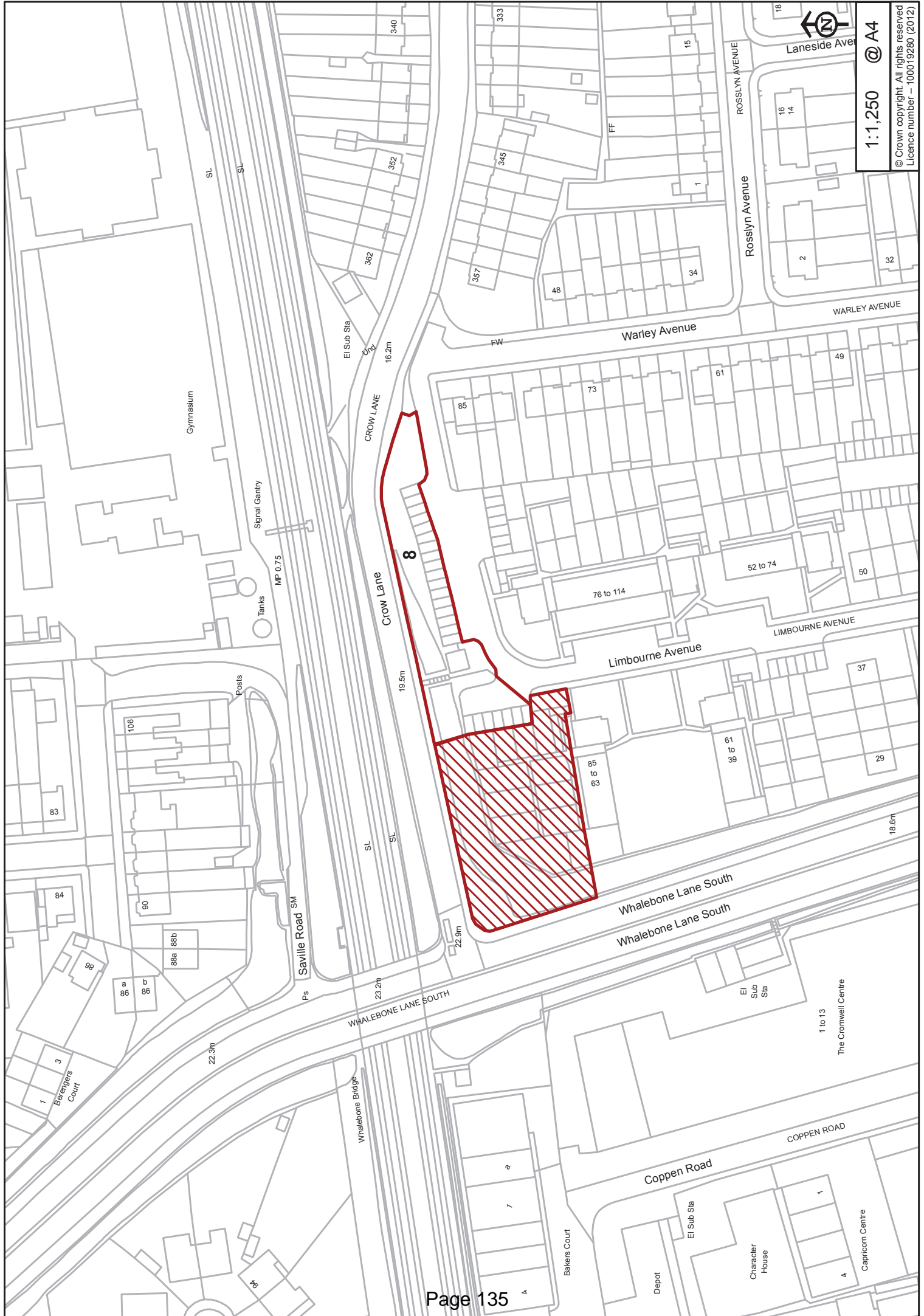


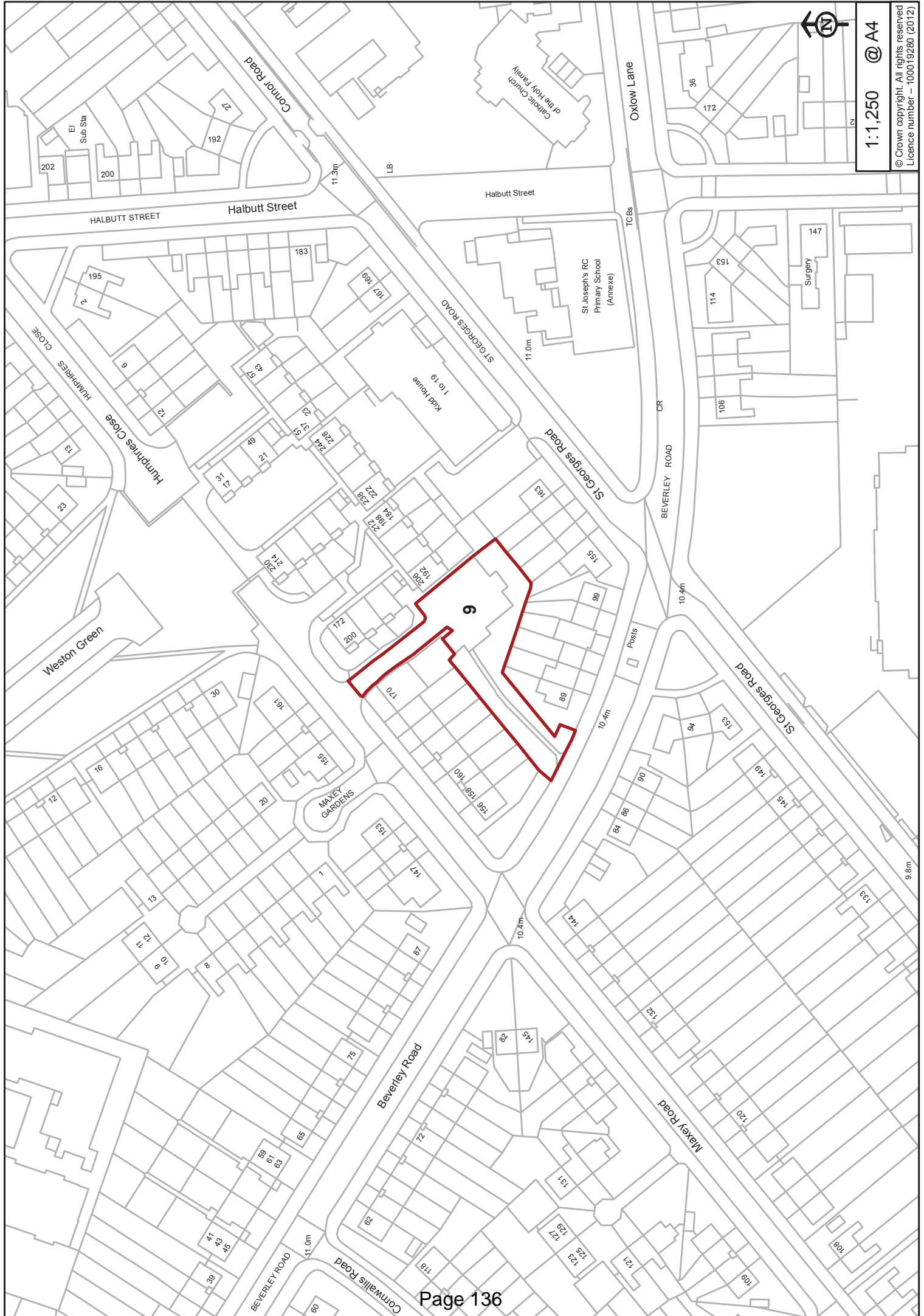
1:1,250 @ A4

© Crown copyright. All rights reserved
Licence number - 100019280 (2012)



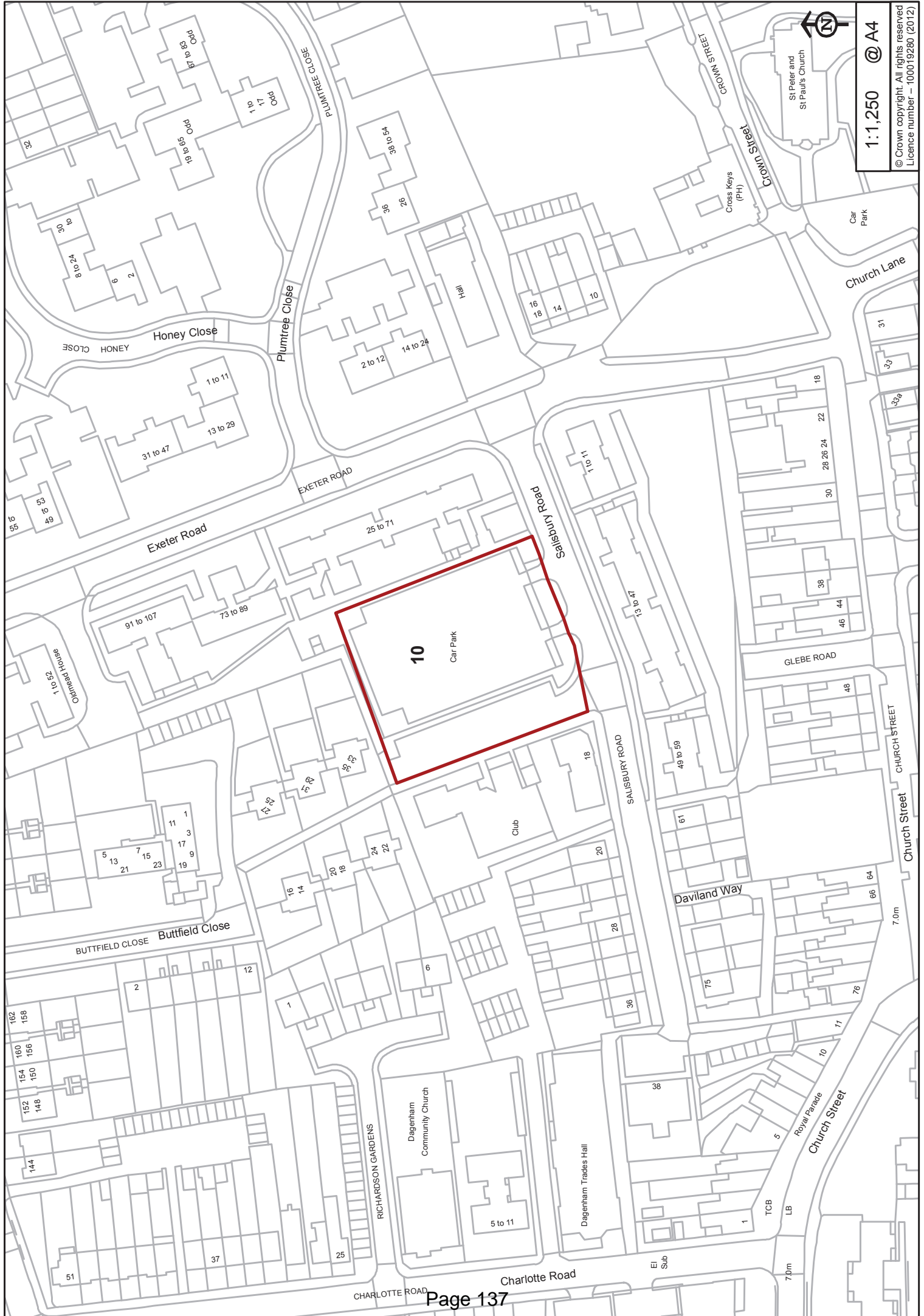


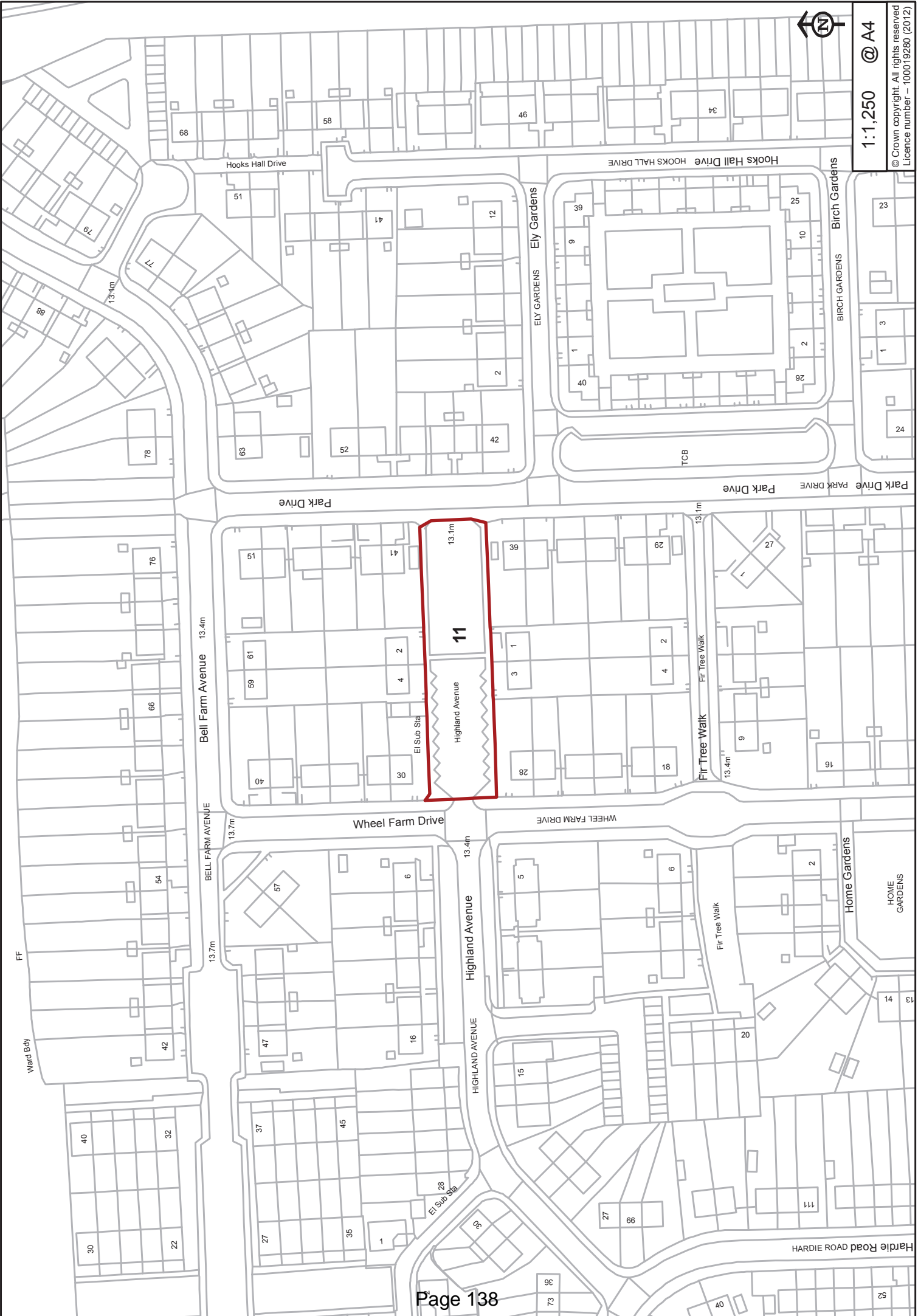




1:1,250 @ A4

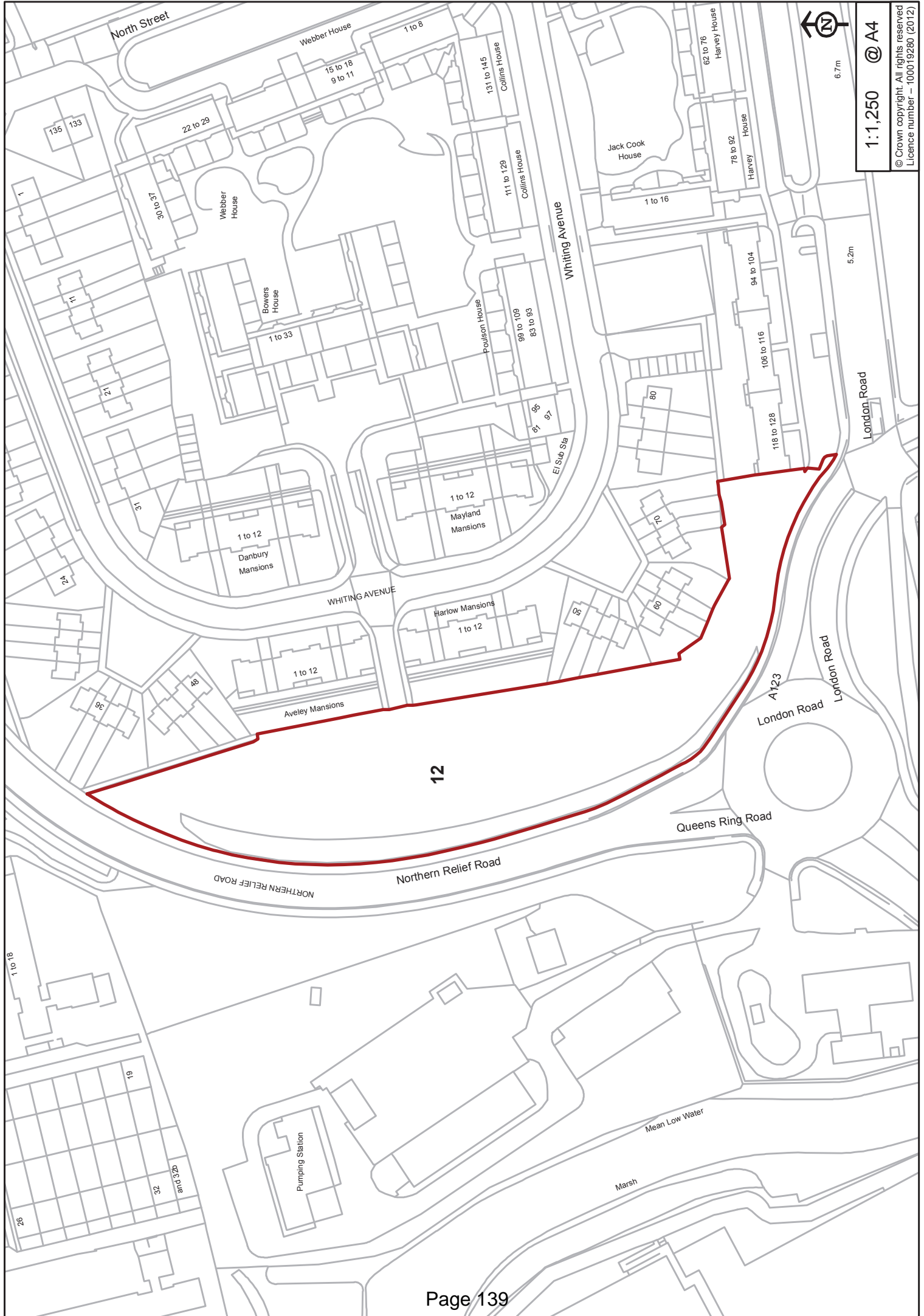
© Crown copyright. All rights reserved
Licence number - 100019280 (2012)



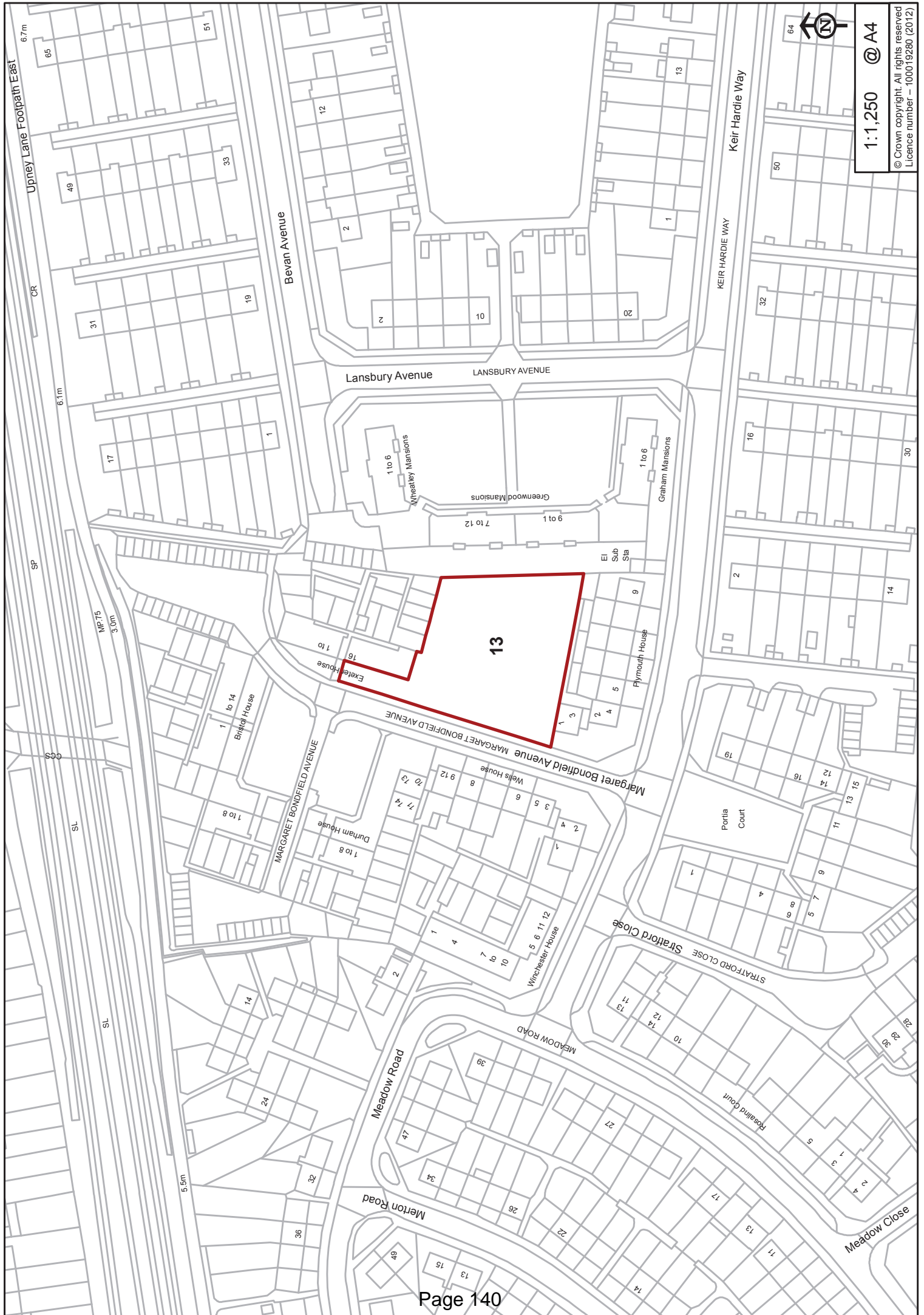


1:1,250 @ A4

© Crown copyright. All rights reserved
Licence number - 100019280 (2012)



12

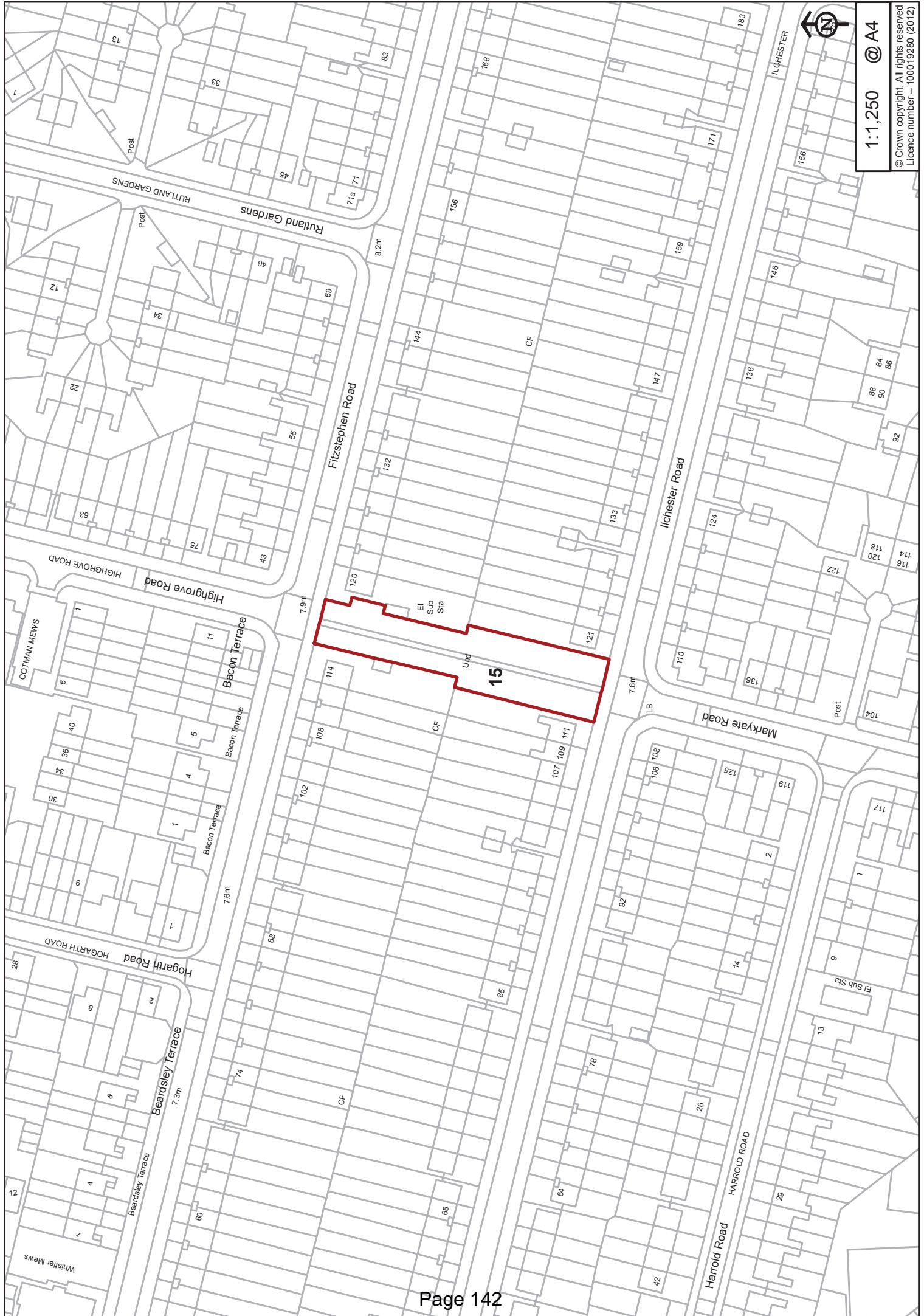


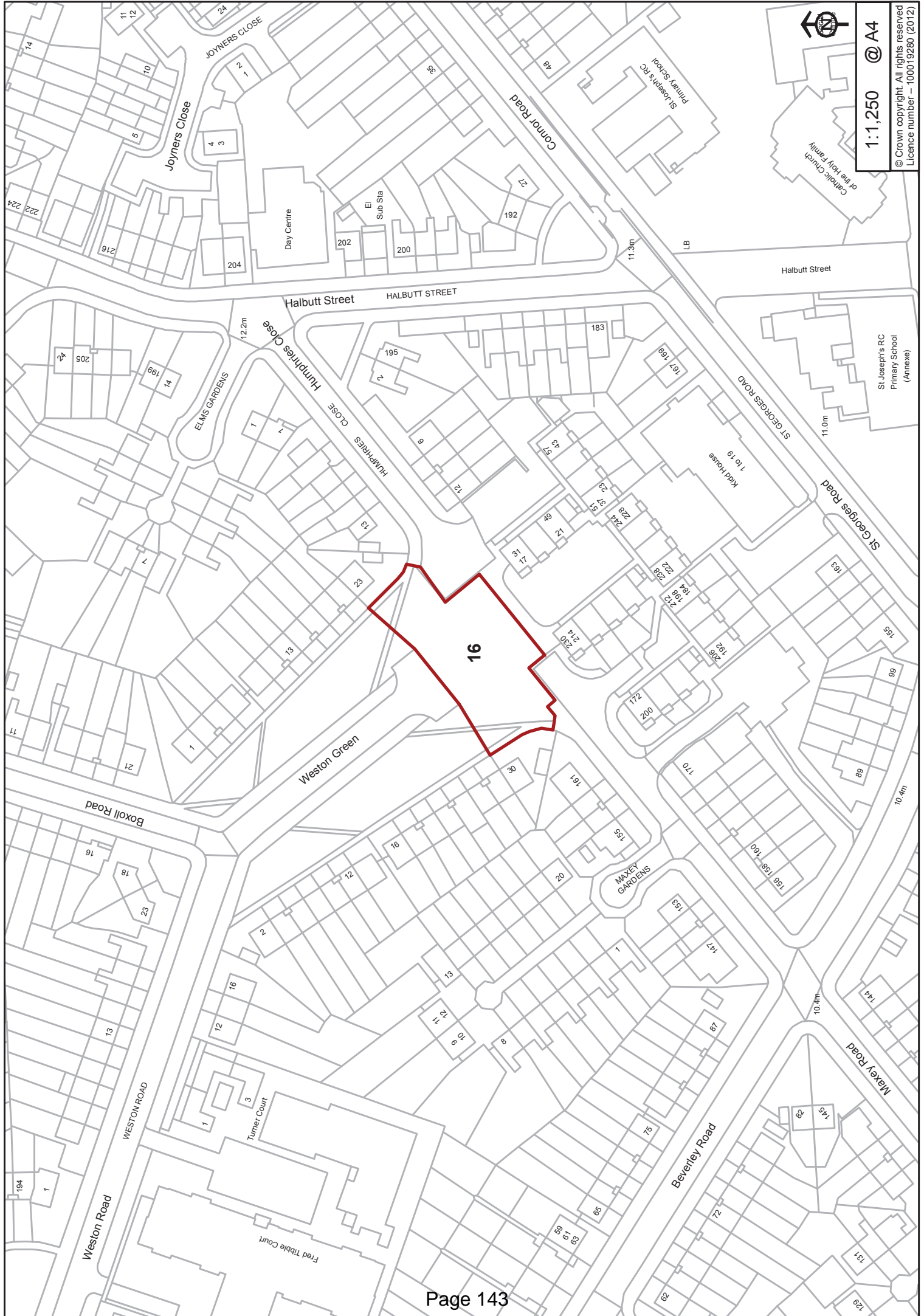


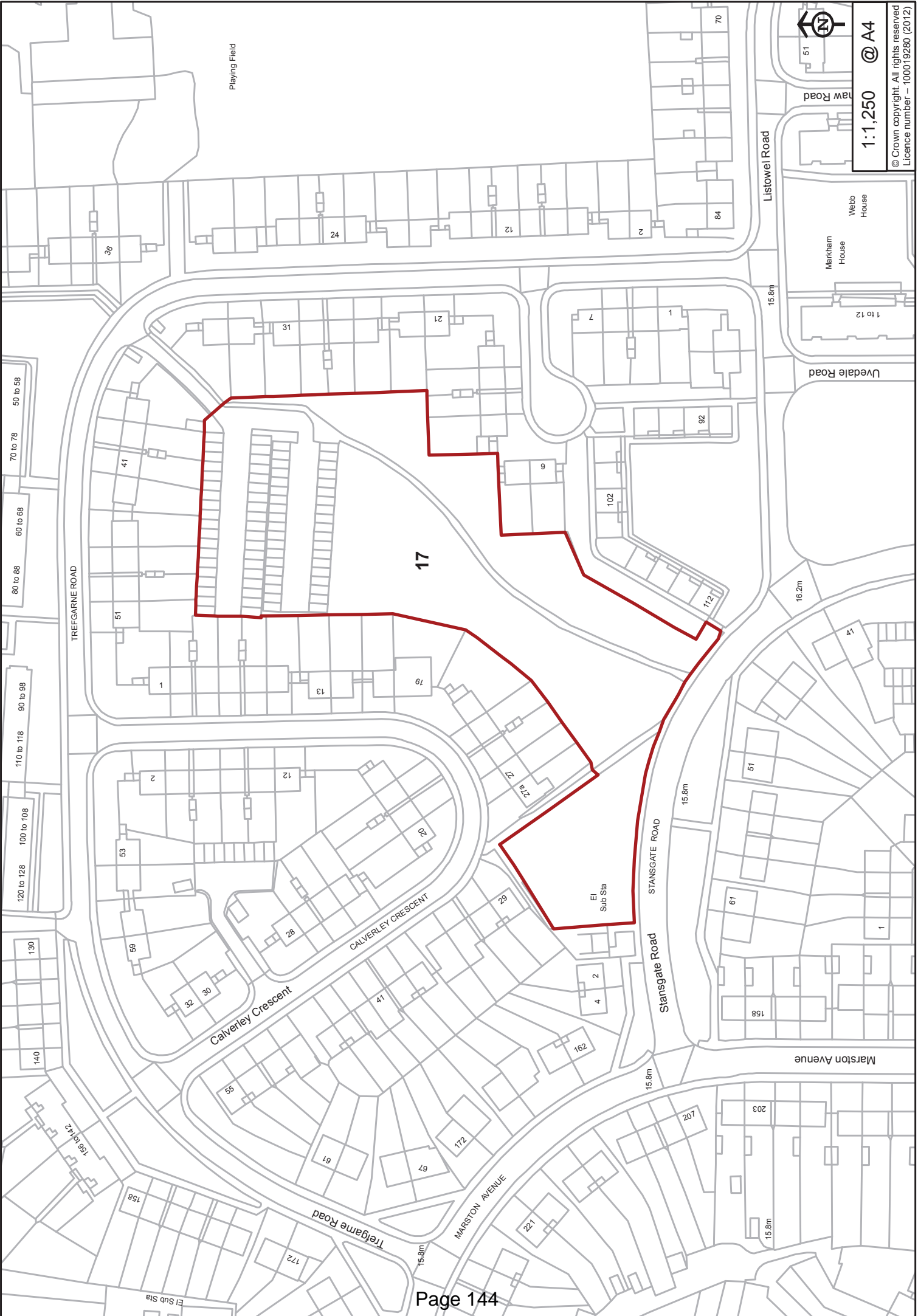
1:1,250 @ A4

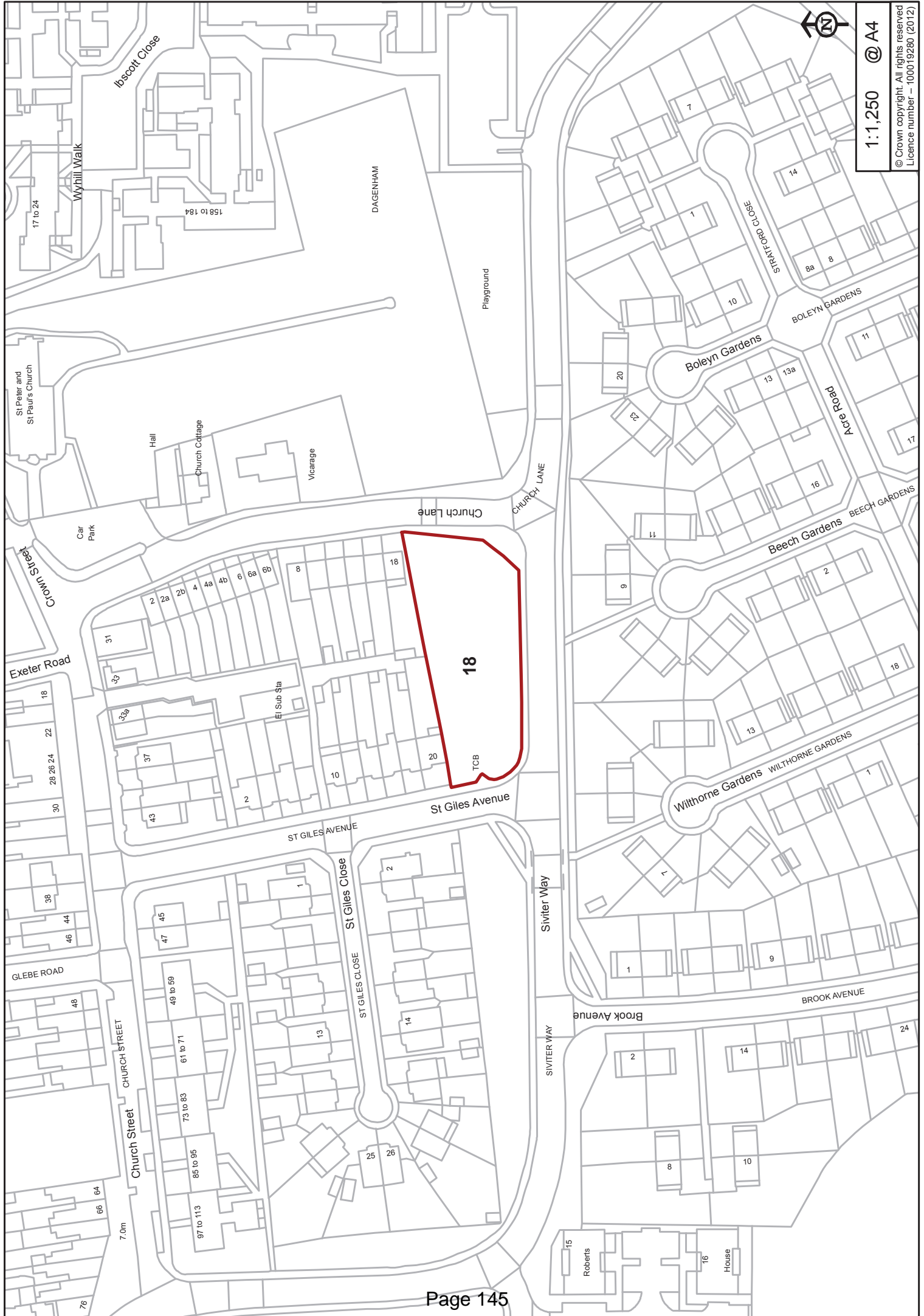
© Crown copyright. All rights reserved
Licence number - 100019280 (2012)

14









This page is intentionally left blank

CABINET

13 November 2012

Title: Land Appropriation at Goresbrook Village, Dagenham	
Joint Report of the Cabinet Members for Regeneration and Housing	
Open Report	For Decision
Wards Affected: Thames	Key Decision: No
Report Author: Jeremy Grint, Divisional Director of Regeneration	Contact Details: Tel: 020 8227 2443 E-mail: jeremy.grint@lbbd.gov.uk
Accountable Divisional Director: Jeremy Grint, Divisional Director of Regeneration	
Accountable Director: Graham Farrant, Chief Executive	
Summary:	
<p>Goresbrook Village (“the Site”) forms part of the Estate Renewal Programme and is shown edged red on plan attached to this report (“the Plan” - Appendix 1). A master plan is currently being drawn up with plans for 149 new residential units, a new street network, a linear park and a shop (“the Scheme”). Part of the land is affected by restrictive covenant (“the Covenant”) and possibly private rights of way that could impact on the proposed development. The Covenant restricts that the part of land affected should only be used as a public park and recreation ground pursuant to the provisions of the Public Health Acts 1875 to 1925 or any statutory amendments or re-enactment thereof from time to time in force and shall be used for no other purposes whatsoever.</p> <p>The area of land that is the subject of the Covenant is primarily the area covered by the car park and vehicle access into Goresbrook Village and shown edged yellow on the Plan (Appendix 1). It is believed the car park was constructed in or around 1960 as part of the housing development. The Covenant is arguably obsolete as the land has ceased to be used for such purposes for many years. The Scheme will provide the new housing units private open space, and the Site is adjacent to Castle Green which is an area of open space land.</p> <p>The majority of the Site was acquired from London County Council in 1936 for use as a Public Parks and Recreation Grounds. The Site was developed in the 1960’s for housing. We have been unable to confirm if the Site or part of it was appropriated for planning purposes to housing land. The site is currently partly within the ownership of the HRA and partly within the General Fund. Through appropriation, the entire site will be transferred to the General Fund.</p> <p>The Site also includes a publicly accessible footpath along the western boundary of the Site and is shown hatched blue on the Plan (Appendix 1). It is not a public footpath. However,</p>	

there is a risk that local residents may have acquired rights of way over the footpath from long use. It will be necessary to close the footpath and extinguish any existing private rights of way, subject to payment of compensation.

The purpose of the report is to seek appropriation of the Site from the statutory purpose of acquisition as a public park and recreation ground to planning purposes for housing re-development.

Recommendations

Cabinet is recommended to:

- (i) Agree the commencement of the land appropriation process of Goresbrook Village to planning purposes for housing redevelopment; and
- (ii) Authorise the placement of public advertisements to seek public opinion and responses to the proposed appropriation of the land edged red on the attached Plan at Appendix 1 to the report which is currently used for housing, footpath, car park and vehicle access.

Reason

To assist the Council in achieving its Community Outcome of more houses which are affordable for local people.

1. Introduction and Background

- 1.1 Goresbrook Village is one of three estates included in the Council's Estate Renewal Programme. Goresbrook Village currently consists of three 16 storey tower blocks with 276 flats that are being decanted and bought back as part of this programme.
- 1.2 In June 2012 the Council, through the HCA Delivery Development Framework, selected Countryside Properties as the preferred developer for the Goresbrook Village. Countryside Properties have done a Master plan for the site, with a plan for 149 new residential units and a replacement shop on the Goresbrook Village site. A total of 98 of the units will be affordable units and will be sold or given back to the Council to manage. Planning permission for the development is due to be submitted by Countryside Properties on 28 September.
- 1.3 The existing development consists of three tall buildings and a small shop unit, with large amounts of open space that is not used to its full potential. There is a large existing car park on the eastern side of the site and a footpath located along the western boundary of the site.
- 1.4 Part of the site shown edged yellow on the attached plan is affected by a restriction on title which states:

'A Deed affecting the land edged yellow on the filed plan dated 9 July 1936 made between 1) The London County Council and 2) The Mayor Alderman and Burgesses of the Borough of Barking contains the following covenants:-

.....That the said land hereby conveyed shall at all times hereafter be maintained by the Corporation as a Public Park and Recreation Ground under the provisions of the Public Health Acts 1875 to 1925 or in any statutory amendments or re-enactment thereof from time to time in force and shall be used for no other purposes whatsoever.'

- 1.5 This area of land affected by the Covenant includes the vehicle entrance into Goresbrook Village, and the majority of the car park as well as a portion of green space along the northern and eastern edges.
- 1.6 The master plan shows the construction of approximately 50 of the 149 units within the area affected by the Covenant. In order for the development to proceed and houses to be sold and occupied, the Council is seeking to appropriate this land for planning purposes to housing land.
- 1.7 Furthermore, the Council intends to close the footpath shown hatched blue on the Plan and is seeking to extinguish any private rights of way that may exist over the footpath resulting from long use by appropriating the site for planning purposes.

2. Proposal and Issues

- 2.1 The Covenant affects land which is no longer used as a public park and recreation ground. The land within the Covenant is currently used as vehicle access, vehicle car parking, a public path and a large earth bund used for security and noise control purposes.
- 2.2 The Covenant is believed to have been imposed on the land at the time when Castle Green had a number of pre-fabricated houses along the edges of the park, placed to house people during and after World War II and ensure there was a public space for these houses.
- 2.3 It is believed the car park was constructed when Goresbrook Village was redeveloped in the 1960s into the three existing tower blocks.
- 2.4 The proposed development will provide a higher standard of living for the residents, providing private open space, safer walking routes and play for all 149 units, whereas the current 276 units do not have any private open space. The proposed development will provide dwellings of a scale and type that is sympathetic to the surrounding area and will provide more family sized units for the residents of the Borough. The new development will also meet the Secured by Design standard and the design team has been working with the Borough's Secure by Design officer on these points
- 2.5 Castle Green, to the immediate east of the development is not being built on, nor is it being diminished in size through this development.
- 2.6 S122 of the LGA 1972 empowers a local authority to appropriate land from one statutory purpose to another. While the Covenant was imposed to retain the area of land for recreation and leisure purposes, the land is in fact currently already used for housing purposes.

- 2.7 The footpath on the western side of the development will be closed to provide land for housing. While not an adopted footpath, there may be prescriptive rights from long use. It is the Council's intention to also appropriate the footpath for planning purposes to override any prescriptive rights that may exist over the footpath and the covenant (pursuant to s237 of the Town and Country Planning Act 1990) subject to payment of compensation to affected persons.
- 2.8 The Cabinet is requested to approve the commencement of the land appropriation process to allow the Council officers to undertake the necessary steps. These include public advertisements for a specified amount of time (two weeks) and the consideration of any objections. A further report to Cabinet will follow to seek formal consent to appropriate the land with details of the outcome of the public consultation.

3. Options Appraisal

- 3.1 The first option considered was not to take any action. This is not a viable option, as the Council is aware of the Covenant and must take appropriate steps to reduce the risk of any objections and to ensure that the development can proceed and new houses can be sold and occupied in the future.
- 3.2 A second option is to seek to override the Covenant and any prescriptive rights. The Council can seek to appropriate the land for planning purposes to override the restriction as it appears to be obsolete / secures no practical benefit and interferes with reasonable use of the land. Although unlikely, financial compensation might be due to anyone entitled to benefit and able to prove loss. An indemnity insurance can be considered to mitigate such risks.
- 3.3 A third option is to seek removal or modification of the restrictive covenant through the Lands Tribunal. This is likely to be a lengthy process; and costly if objections are received. This option has not been pursued.

4. Consultation

- 4.1 Consultation has taken place internally within the Council in the following departments:
- Regeneration and Economic Development
 - Legal
 - Financial

No external consultation has taken place.

5. Financial Implications

Implications completed by: Jo Moore, Group Finance Manager

- 5.1 The main costs to be incurred in the appropriation of this land relate to incidental expenditure such as the placing of the statutory notices in the press. These costs are expected to be less than £5k and will be contained within existing revenue budgets.

- 5.2 Although in the theory the process could generate compensation claims in relation to the extinguishing of prescriptive or private rights, it is not anticipated in this particular case that these will arise. Should any claims be forthcoming these would also need to be contained within existing budgets.

6. Legal Implications

Implications completed by: Eldred Taylor-Camara, Legal Group Manager

- 6.1 The report seeks approval to commence land appropriation process to enable the site to be redeveloped. The site was acquired as public parks and recreations grounds. The conveyance contains a restriction which restricts part of the site to use as a public park and recreation ground. It is proposed to now develop the part of land into housing. Most parts of the site have been developed for housing purposes since 1960s.
- 6.2 A local authority can appropriate land held for one statutory purpose to another pursuant to Section 122 of the Local Government Act 1972 if the land is deemed to be surplus to its requirements or to facilitate development of its area.
- 6.3 The site has not been used as a public park and recreation ground since approximately 1960. The part of land affected by the covenant is currently used for car parking and access. The covenant is arguably obsolete, secures no practical benefit and interferes with reasonable use of the land. The proposed development will improve the social, economic and environmental well-being of the area.
- 6.4 The proposed development will also require the closure of footpath falling within the site. The footpath is not adopted or known to be a public footpath. However, it may be affected by prescriptive rights acquired by residents from long use. It will be necessary to extinguish these rights that may exist to ensure the proposed development can proceed.
- 6.5 Section 237 of the Town and Country Planning Act 1990 provides power to override easements and other rights affecting land. Paragraph 4(1) schedule 9 of the Planning Act 2008 extends the power to override third party rights to restrictive covenants. Provided that land is validly appropriated for planning purposes, the erection, construction or carrying out of the development (by the Council or a person deriving title from the Council) will be authorised if it is done in accordance with planning permission, notwithstanding that it interferes with restrictive covenants and easements. Private rights affected will be overridden and converted into a claim for compensation.

7. Other Implications

- 7.1 **Risk Management** - There is a risk to the Council that if the land is not appropriated for planning purposes, nor removed or modified through the Land Tribunal process, that the development would not be able to proceed. It is felt that the Land Appropriation process is the most cost and time effective for the Council.

The Covenant no longer serves any purpose, as the land that it was protecting has been

an area of hard standing and car park for a number of years. The current residential properties at Goresbrook Village are of poor quality and do not have any private open space, whereas the proposed development provides new family sized units, all with their own private open space.

There is a risk that through the Land Appropriation, there will be objections to the process. However, only objections by people or bodies that can claim to have benefit or can prove loss from the change of use of the land affected by the Covenant are considered, and bearing in mind the area of land that is within the Covenant is not used currently for its stated purpose, the risk of this is small.

There is a further risk that after the Land Appropriation process the Council will be required to take out indemnity insurance to cover any compensation claims. This insurance could be costly. This is not an avenue the Council would wish to consider unless absolutely necessary.

There is a small risk to the appropriation of the footpath on the western side of the site. While the footpath will be closed, the links through the site will be retained. Pedestrians will have a safer and more pleasant walk through the site to their destination; therefore it is unlikely that any person will come forward to object.

Overall, the risk to the Council is least if the Council appropriates the land for planning purposes, provided the correct procedures are followed and any objections dealt with in the correct manner.

7.2 Contractual Issues - If the Council does not appropriate the land for planning purposes to housing use, there could be an impact on the development and delay entering into a Development Agreement with the selected bidder Countryside Properties. There is a tight time frame on this development as many affordable houses as possible need to be built before March 2015 in order for the Council to draw down funding, so any delay will have a knock-on effect on the development.

7.3 Customer Impact - Throughout the master plan process, the Council has been keen to improve the amount of private open space for the residents at Goresbrook Village. A consultation event was held in November 2011 to gauge local residents' view points on the area for development, with strong opposition towards building on Castle Green. The Council has ensured that the proposed development is wholly within the Goresbrook Village site and not on Castle Green. Whilst there will be a significantly larger footprint than the existing three tower blocks, the quality of building, size of units and provision of private open space outweighs the loss of the open space on the site.

It is important to note that the area within the Covenant is not currently used for its stated purpose, being recreation and leisure. The area is mostly occupied by a large car park, vehicle entrance and a public footpath. There is an area of green space in the northern part of the space, however the location of Castle Green immediately adjacent makes this space redundant.

The location and route of the existing footpath on the western side of the site is not ideal, as it winds behind houses and gardens, is poorly overlooked and also not the most direct

route from Maplestead Road to the A13. The removal of the pathway will improve the safety and amenity of the area for local and new residents by creating a link through the site, along streets that are well over-looked.

Instead of one central park for the development, the design has focussed more on links and ways to encourage activity for residents and passers-by. The green link along Goresbrook Road will help to improve pedestrians walking route past the site, and there are now a number of different options for pedestrians through the site down to the A13, rather than the existing path.

There will be two new links into Castle Green from the development, these will be along streets that are fronted by houses and overlooked. Street lighting will be installed to the required standard, which will help to improve safety for residents and visitors who are passing through the development. The development will then link up with existing pathways in Castle Green.

It is not considered that there will be any negative customer impact from the appropriation of land from the existing use to housing use. The land appropriation will free up land that is not currently used for recreation or leisure for family sized units, the majority of which will be affordable, all with private open space.

- 7.4 **Safeguarding Children** - The proposed master plan is a traditional street pattern, with all houses fronting on to the street and private back gardens behind. There are two blocks of apartments, each with their own balcony. The proposal improves pedestrian links through the site towards the A13 and bus stops that are located to the south of the site. The proposal also improves links through to Castle Green. The master plan will improve the lives of children living at the new houses at Goresbrook Village and has created a development where all the streets are overlooked by residents.
- 7.5 **Health Issues** - The purpose of the Covenant was surely to maintain a pleasant level of open space for residents in the pre-fabricated housing that was along the edges of Castle Green in 1938. While it is clear that the existing Goresbrook Village development also required substantial public outdoor space for recreation and leisure, the proposed development has created a lot more private open space, which all residents of Goresbrook Village will have. It is also important to note that while the Covenant has existed for some time, for a considerable amount of that time, the land has been used as a car park and vehicle entrance, and not for the intended use. The master plan has created a new community that will provide safe, healthy streets and houses for residents, immediately adjacent to a large public park, Castle Green.
- 7.6 **Crime and Disorder Issues** - One of the main reasons for the demolition of Goresbrook Village is the anti-social behaviour issues often associated with tower blocks. The proposed development creates safer streets with houses that suit the residential area and provide family sized units. The streets are designed to provide safe links through the site towards the A13 or Castle Green.

The area of land within the Covenant is currently a large car park, and an inaccessible bund that creates a barrier between Goresbrook Village and Castle Green. It is considered that by developing on the area of land within the Covenant, Crime and

Disorder issues will be reduced and accessible links through to Castle Green will be created.

Currently Castle Green is separated from Goresbrook Village by a fence, cutting off the two sites and making it difficult for residents to walk between the two. By removing this fence and bund, and creating street links into Castle Green, there will be more opportunities for residents and visitors to walk into and through Castle Green. These links will be well lit, with houses overlooking the streets, helping to improve safety for pedestrians. The design facilitates more interaction between Goresbrook Village and Castle Green.

- 7.7 **Property / Asset Issues** - If the land within the area of the Covenant remains for recreation and leisure use, it may prove difficult for Countryside Properties Limited, or any future developer, build, sell and allow any units to be occupied. Land appropriation should have taken place at the time of the previous Goresbrook Village development, but may have been overlooked.

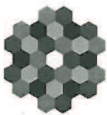
It is not considered that this Covenant serves any purpose any longer, given that the area of land has not been protected since the car park at Goresbrook Village was built. The site is immediately adjacent to a large area of open space at Castle Green that provides a range of recreation activities. By not going through a land appropriation process, the project may be subject to delays and will interrupt the Estate Renewal Programme.

Background Papers Used in the Preparation of the Report:

- Estate Renewal Programme – Delivery and Disposal Options for Goresbrook Village and The Leys, 23 August 2011.

List of Appendices:

Appendix 1: Certificate of Title, with map attached.



Official copy of register of title

Title number EGL375840

Edition date 19.04.2010

- This official copy shows the entries on the register of title on 15 JUN 2011 at 17:33:50.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 15 Jun 2011.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1-A *guide to the information we keep and how you can obtain it*.
- This title is dealt with by Land Registry, Telford Office.

A: Property Register

This register describes the land and estate comprised in the title.

BARKING AND DAGENHAM

- 1 (03.08.1998) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being 1 to 94 Bassett House, 1 to 94 Ingrave House, 1 to 94 Dumow House, 179,183 and 197 Maplestead Road, 427,429,433,435,437, Goresbrook Road, Barking.
- 2 (03.08.1998) The Transfers of properties made pursuant to Chapter 1 of Part 1 of the Housing Act 1980 or part V of the Housing Act 1985 took effect with the benefit of and subject to the easements and the other rights specified in Paragraph 2 Schedule 2/Schedule 6 of the Housing Acts 1980/1985.
- 3 (07.09.1999) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan. The property description has been altered to reflect the land remaining in the title.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (03.08.1998) PROPRIETOR: THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF BARKING AND DAGENHAM of Town Hall, Barking, Essex, IG11 7LU.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (03.08.1998) A Deed affecting the land edged yellow on the filed plan

C: Charges Register continued

dated 9 July 1936 made between 1) The London County Council and 2) The Mayor Alderman and Burgesses of the Borough of Barking contains the following covenants:-

.....That the said land hereby conveyed shall at all times hereafter be maintained by the Corporation as a Public Park and Recreation Ground under the provisions of the Public Health Acts 1875 to 1925 or any statutory amendments or re-enactment thereof from time to time in force and shall be used for no other purposes whatsoever.

2 (03.08.1998) The land hatched blue on the filed plan is subject to the rights granted by a Deed of Grant dated 13 October 1993 made between 1) The Mayor Alderman and Burgesses of the London Borough of Barking and Dagenham and 2) Essex Water Pic.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Original filed.

3 (03.08.1998) The land is subject to any rights of way, support, rights of entry for the purpose of repair and maintenance and rights of drainage and rights in respect of water, gas and electricity supply services granted by various transfers made pursuant to the Housing Acts 1960/1985.

4 (03.08.1998) The Leases specified in the Schedule of Leases hereto which were made pursuant to Part V of the Housing Act 1985 took effect with the benefit of and subject to the easements and other rights specified in Schedule 6 of the Housing Act 1985.

5 (03.08.1998) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto. The leases grant and reserve easements as therein mentioned.

6 (01.10.1998) The parts of the land affected thereby are subject to the following rights granted by the Lease of electricity sub stations dated 26 November 1989 referred to in the schedule of leases hereto

"Together in each case with full right and liberty for the Lessees in common with all persons having the like right to pass and repass at all times and for all purposes with or without materials to and from the demised land over and along the land shown coloured brown on the drawings and TOGETHER ALSO with the right for the Lessees to take in and expel air from and over the land adjoining the ventilators indicated on the said drawings by the colour blue TOGETHER ALSO with full right and liberty for the Lessees to use lay and maintain electric lines with any conduits or pipes and other appurtenances thereto under the land coloured green on drawing No 2286/20 and to break up the surface thereof so far as may be necessary from time to time for the purpose of laying electric lines under or over the said land or of relaying repairing maintaining or removing any electric lines conduits pipes or other appurtenances so laid but so that the Lessee in exercising such rights shall not cause unnecessary damage to the said land and shall restore the surface thereof so far as practicable to its former condition"

NOTE: Copy drawings filed.

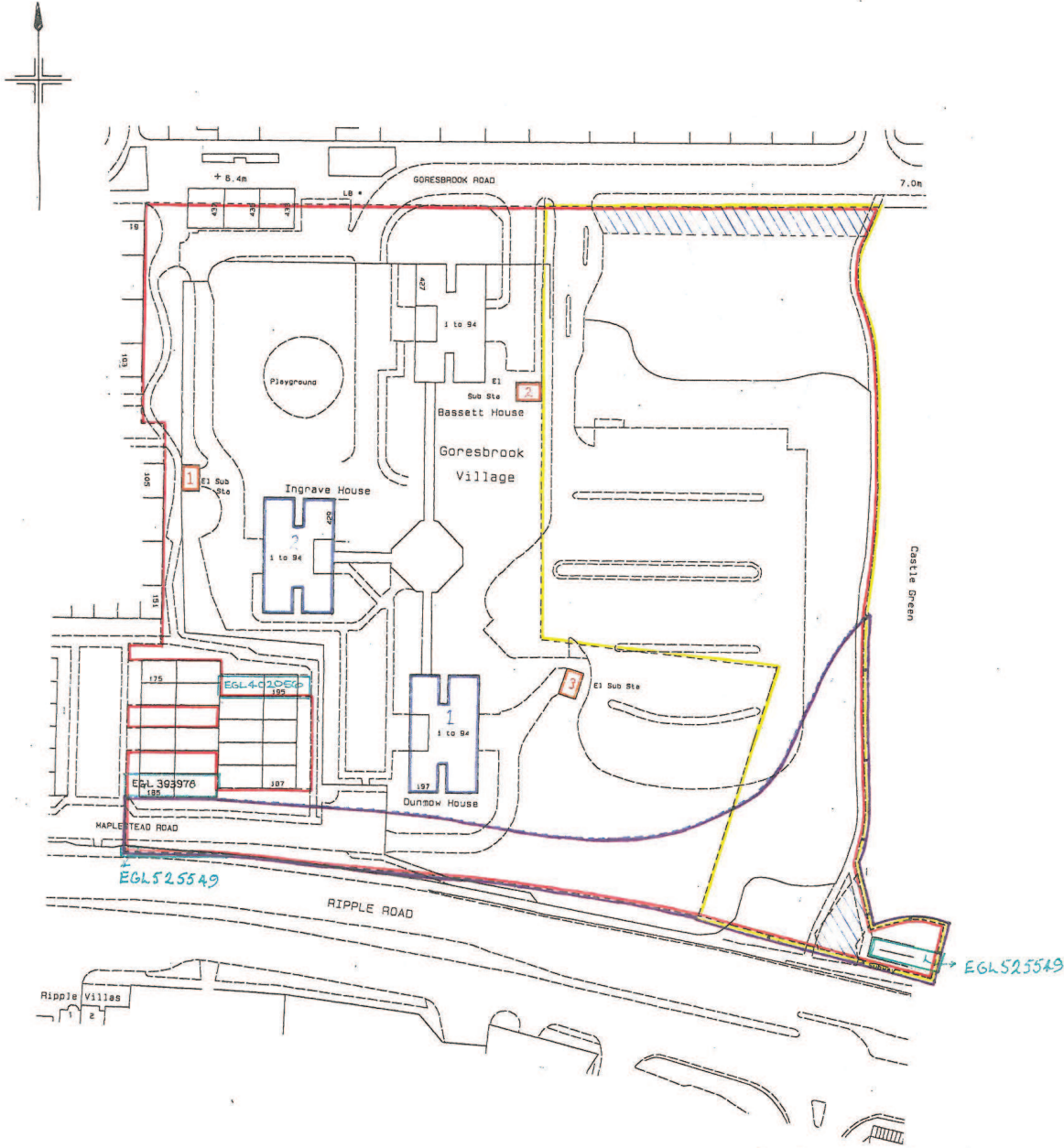
7 (16.04.2004) UNILATERAL NOTICE affecting the land edged mauve on the title plan and other land in respect of an option to purchase Agreement dated 26 March 2004 made between (1) The London Borough of Barking and Dagenham, (2) Barking Riverside Limited, (3) Urban Regeneration Agency and (4) Bellway PLC.

8 (16.04.2004) BENEFICIARY: Barking Riverside Limited of Seaton Burn House, Dudley Lane, Seaton Burn, Newcastle Upon Tyne NE13 6BE.

Schedule of notices of leases

1	01.10.1998	Sub Station Site	26.11.1969	EGL506820
	Edged and		60 Years from	
	numbered 1, 2,		29.09.1969	
	3 in brown			

H.M. LAND REGISTRY		TITLE NUMBER	
		EGL375840	
ORDNANCE SURVEY PLAN REFERENCE	TQ4683	SECTION J	Scale 1/1250
ADMINISTRATIVE AREA LONDON BOROUGH OF BARKING AND DAGENHAM			© Crown copyright



.....

This official copy issued on 16.6.2011 shows the state of this title plan on 15.6.2011 at 17.34.47. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries. This title is dealt with by Land Registry, Telford Office.

© Crown Copyright. Produced by Land Registry. Reproduction in whole or part is prohibited without the prior written permission of Ordnance Survey. Licence number 100019577.

CABINET

13 NOVEMBER 2012

Title: Interim Management Arrangements for Havering Youth Offending Team	
Report of the Cabinet Member for Crime, Justice, and Communities	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Glynis Rogers, Divisional Director Community Safety and Public Protection	Contact Details: Tel: 0208 227 2827 E-mail: Glynis.Rogers@lbbd.gov.uk
Accountable Divisional Director: Glynis Rogers, Divisional Director Community Safety and Public Protection	
Accountable Director: Anne Bristow, Corporate Director, Adult and Community Services	
<p>Summary:</p> <p>This report informs Cabinet of interim arrangements which are being put in place to manage Havering Youth Offending Service whilst more detailed discussions take place as to an integrated service model across both Barking and Dagenham and Havering.</p> <p>The interim arrangements include the secondment of one LBBD YOS Manager for 60% of his time and additional support from other LBBD YOS Management staff until March 2013. During the intervening period continued work will be undertaken to explore options for a fully integrated service and to consider opportunities for joint working with Thurrock.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Note the interim arrangements put in place in October 2012 in order to pilot the proposed joint-working arrangement; and (ii) Agree to receive a report in January 2013 on the initial joint-working arrangements and the discussions with LB Havering enabling consideration of whether to enter into a longer term arrangement from April 2013. 	
<p>Reason(s)</p> <p>The Council is committed to building a community where people are safe and feel safe. Good quality youth offending services reduce offending and reoffending amongst 10-18 year olds. Barking and Dagenham YOS had a very good thematic inspection in 2011/12 and the integration will allow opportunities for building practice and resilience in both Boroughs' Youth Offending Services.</p>	

1. Introduction and Background

- 1.1 The role of Youth Offending Services is to improve the lives of young people at risk of offending and social exclusion and those within the Criminal Justice System. It aims to reduce the high levels of young people in custody and to enable equal access to services for all.
- 1.2 The Youth Offending Service is a multi-agency operation comprising staff from Police, Probation, Council and NHS. It works closely with young offenders and their parents or carers as well as with courts, Young Offender Institutions, other criminal justice agencies and other organisations or groups that support young people and recognise the unique value and contribution that they make to society.
- 1.3 Other key providers and supporters include the youth service, education, training and employment providers, accommodation and leisure services and many voluntary sector agencies.
- 1.4 Youth Offending Services are committed to the following outcomes; to:
- prevent offending by children and young people;
 - deliver evidence-based interventions in young peoples' lives which enhance their opportunities;
 - improve victim satisfaction;
 - work with the local crime reduction strategy to reduce the fear of youth crime;
 - achieve these outcomes irrespective of their ethnic origin, gender, religion, disability or sexuality of service users.
- 1.5 At the heart of the work of any Youth Offending Service is the focus on safeguarding – both of the community and the young person to ensure the best outcome for the future. The enforcement/breach role within the Youth Offending arena is a key contributor to delivery of this outcome.

2. Youth Offending in Barking and Dagenham and Havering

- 2.1 A recent HMI Probation Inspection of Youth Offending Services saw Barking and Dagenham receive a very good inspection which placed it within the top quartile of YOS nationally and top 5 in London in terms of managing risk and keeping young people safe. Havering's Inspection, whilst identifying good practice saw some areas for development and improvement. Subsequent discussions identified that both Boroughs would benefit from exploring an integration of the statutory services delivered by YOS in order to build on good practice from both Boroughs and bring resilience.
- 2.2 Both Barking and Dagenham and Havering deliver services to young people aged 10-18 who are at risk of, or are involved, in criminal behaviour. The services have a statutory duty to assess young people, take them through the criminal justice system and see their reintegration into mainstream services.
- 2.3 It has been recognised in early discussions that the area for greatest opportunity sits within joint services to deliver the 'statutory order' function of Youth Offending Services, with both Boroughs being responsible for their own prevention and support services.

2.4 In the officer discussions to date, Havering have indicated that they intend to adopt the end-to-end case management and scaled approach used in Barking and Dagenham. This would enable both Councils to then consider integration.

3. Current Position

3.1 The following issues have been considered as part of ongoing discussions:

- the synergies with Havering in terms of Probation Service, Metropolitan Police, NHS, the Youth Justice Board, and the use of Havering Court, where duties are already shared across both boroughs;
- the focus solely on joint statutory services;
- the considerable movement of young offenders across both Boroughs, in terms of some gang activity but also in terms of other offending behaviours.

3.2 In order to support integration, Havering Youth Offending Service have identified that they need support with the day-to-day management of their current service and the ongoing work to restructure the service to reflect practice in Barking and Dagenham so that, should full merger go ahead in 2013, the services will be complementary and fit for purpose.

3.3 A Barking and Dagenham Manager has been seconded part-time to manage Havering YOS through this transition with effect from 1st October 2012 to 31st March 2013. In addition, other managers will also lend support under a part-time secondment arrangement.

3.4 LB Havering have agreed to pay a management fee for these officers to LBBD for the six month period amounting to £54,200.

4. Future Options

4.1 Officers consider that there would be a number of benefits for both authorities if the services were brought together on a longer term basis. These would include:

- creating the conditions to realise cost savings whilst maintaining services which meet our statutory obligations to prevent youth offending and protect local communities;
- improving the joint working in terms of the youth court which operates on a three-Borough basis; and
- creating an environment where staff learning and development is furthered which will not only improve resilience but also staff retention.

4.2 It is therefore proposed that further discussions take place with Havering with a view to developing a shared service model, with an integrated management structure. Detailed discussions will be needed on a range of operational issues, including IT systems, performance, and quality assurance and operational procedures.

4.3 A further report will then be presented to Cabinet in January 2013 to enable Members to consider the proposed service model and governance arrangements. This paper will also provide the opportunity for further exploration of joint-working with other authorities.

5. Options Appraisal

5.1 There were two main options considered, namely:

- Option 1 - To maintain the standalone YOS.
- Option 2 - To collaborate with a neighbouring authority with a view to realising benefits for both authorities

5.2 Option 2 is the recommended option for the reasons outlined in this report.

6. Consultation

6.1 Consultation on these proposals has taken place across the Partnership through the YOS Chief Officers' Group, as well as across the Council.

7. Financial Implications

Implications completed by: Dawn Calvert, Finance Group Manager

7.1 In 2012/13 the LBBDD budget for the Youth Offending Team is £1.045m.

7.2 In terms of the interim arrangement, LB Havering have agreed to pay Barking and Dagenham the sum of £54,000 as a management fee from 1st October 2012 to 31st March 2013. Work is ongoing to consider what long-term savings there may be from a merged service.

8. Legal Implications

Implications completed by: Chris Pickering, Senior Lawyer

8.1 Section 39 of the Crime and Disorder (1998) Act supports arrangements for cross border Youth Offending Teams (YOTs): "Two (or more) local authorities acting together may establish one or more Youth Offending Teams for both (or all) their areas."

8.2 In addition, the Authorities have a range of powers which enable them to share services. These range from the ability to provide professional services to one another to the actual delegation of functions by one authority to another.

8.3 In terms of staffing issues, this report indicates where secondments will be required. It will be important for legal to advise on the terms of such secondments. If joined services are realised, consideration of employment issues will be vital to determine which terms and conditions will apply to staff and the identity of the employing authority (or whether employment contracts sit centrally with staff employed to both authorities to a fully joined service). If any changes are necessary to staff terms and conditions this has to be handled carefully with full consultation.

9. Other Implications

9.1 **Risk Management** - There is a risk that the good practice which LBBDD YOS has developed and its strong management oversight may be compromised as management resources become stretched. There is every confidence that as we have developed a strong supervision ethos within the YOS and because of the quality of our managers that this will be mitigated through the oversight of the Group

Manager Community Safety and Integrated Offender Management and YOS managers.

- 9.2 **Contractual Issues** - At present LBBD are entering into a six-month secondment arrangement for a management fee. Any more permanent arrangement will result in a Memorandum of Understanding being drawn up through Legal Services.
- 9.3 **Staffing Issues** - The relevant staff will be seconded to Havering for part of their working weeks and will receive contractual letters to this effect.
- 9.4 **Customer Impact** - Young Offenders are aged 10-18, most victims of young offenders are also within that age group though the community impact is felt across all ages and equalities groups. It is not anticipated that there will be any adverse impact on our customers, either young offenders or wider communities through this interim arrangement.
- 9.5 **Safeguarding Children** - The report discusses the recent YOS inspection and the strong performance of the team indicated by a set of judgements which place the team within the top quartile nationally. There is the possible risk that, by extending the management reach of the Barking and Dagenham YOS to cover responsibilities within Havering, some leadership which has clearly contributed to this strong performance may be diluted. However, there are also many advantages to the adoption of such a model and in particular a management structure which operates across the two boroughs will contribute greatly to existing partnerships which also operate across both Havering and Barking & Dagenham. Partnerships with the MPS & MPS Child Abuse Investigation Team, NELFT, the Probation service, and Emergency Duty Team are all examples of stakeholders which operate across the two areas. Thus the safeguarding of children and young people has the potential to be further enhanced by the implementation of a YOS that is also integrated with partners that operate across the two geographical areas.
- 9.6 **Health Issues** - Youth Offending services through robust assessment seek to address the physical and mental health needs of offenders. The NHS commissions a range of support from health professionals to deliver this. This interim arrangement will not adversely impact on this issue.
- 9.7 **Crime and Disorder Issues** - Youth Offending Services provide a mechanism by which the Council works with partners to reduce the likelihood of young people becoming involved in the criminal justice system and to prevent re-offending. Section 17 of the Crime and Disorder Act requires the Council to work with partners to reduce and prevent crime and disorder and associated harm. This interim arrangement will not adversely impact on the Council's ability to deliver its S17 duty.
- 9.8 **Property / Asset Issues** - There are no property/asset issues arising from the interim arrangement.

Background Papers Used in the Preparation of the Report: None

List of appendices: None

This page is intentionally left blank

CABINET

13 November 2012

Title: Safeguarding Adults Board Annual Report 2011/12	
Report of the Cabinet Member for Adult Services and HR	
Open Report	For Information
Wards Affected: None	Key Decision: No
Report Author: Helen Oliver, Group Manager Adult Safeguarding	Contact Details: Tel: 020 8724 8857 E-mail: helen.oliver@lbbd.gov.uk
Accountable Divisional Director: Glynis Rogers, Divisional Director of Community Safety and Public Protection	
Accountable Director: Anne Bristow, Corporate Director of Adult and Community Services	
<p>Summary:</p> <p>This report outlines the work that that has been done via the Barking and Dagenham Safeguarding Adults Board to ensure that the Borough's most vulnerable adults are kept safe. The Board's Annual Report 2011-12 (Appendix 1) sets out the achievements of the Board against its strategic objectives:</p> <ol style="list-style-type: none"> 1. To ensure effective leadership and governance of all safeguarding adults processes and practice. 2. To ensure the co-ordination of protection and prevention. 3. To ensure a co-ordinated and effective response to identified abuse. 4. To strengthen joint working and practice across agencies and the wider community. 5. To identify emerging good practice to ensure continuous improvement. <p>The report provides an overview of performance against these objectives and sets out the priorities moving forward into 2012-2015.</p>	
<p>Recommendation</p> <p>The Cabinet is recommended to note the Barking and Dagenham Safeguarding Adults Board Annual Report for 2011/12.</p>	
<p>Reason(s)</p> <p>Safeguarding Adults is a key area of business for the Partnership. The Annual Report provides an overview of achievements over the last year.</p>	

1. Introduction and Background

- 1.1 The Barking and Dagenham Safeguarding Adults Board brings together a variety of local statutory and voluntary organisations to lead and co-ordinate the local strategy

to safeguard adults at risk from abuse and neglect. At these meetings progress is reviewed and partners work together to raise concerns, discuss Borough-wide issues, and find opportunities to improve services for adults at risk of abuse and neglect. This includes working together to ensure that all services in Barking and Dagenham comply with safeguarding adult policies and procedures and raising awareness of the issue across the Borough.

The Board's members include:

- Barking and Dagenham Mencap
- Barking and Dagenham Metropolitan Police
- Barking Havering and Redbridge University Hospital Trust
- Carers of Barking and Dagenham
- Care Quality Commission
- HUBB Mental Health User Group
- London Ambulance Service
- London Borough of Barking and Dagenham (LBBD) Adult and Community Services
- LBBD Children's Services
- LBBD Housing Services
- LBBD Legal Services
- London Fire Service
- London Probation
- NHS Outer North East London
- North East London Foundation Trust

1.2 In 2011, Government announced its intention to place Safeguarding Adults Boards on a statutory footing in its statement of government policy on adult safeguarding. The White Paper and draft Bill reaffirms the intention to legislate in the critical area of adult safeguarding. It is expected that Safeguarding Adults Boards will become statutory in 2013.

1.3 Safeguarding adults is everybody's business, and the production of the Safeguarding Adults Board Annual Report provides the wider Partnership with a regular update on progress in this critical area. Currently the production of a Safeguarding Adults Board Annual Report is optional. However, since it is expected that Safeguarding Adults Boards will become statutory in 2013, Annual Reports are likely to become mandatory.

2. Proposals and Issues

2.1 The Safeguarding Adults Board's Annual Report 2011-12 sets out its strategic priorities and outlines progress in each area.

2.2 The Board's five priorities for work in 2011-12 were:

- (a) ensuring effective leadership and governance of all safeguarding adult processes and practice;
- (b) ensuring the co-ordinated protection and prevention of possible abuse;
- (c) ensuring a co-ordinated and effective response to abuse that we identify;

- (d) strengthening joint working and practice across agencies and the wider community; and
- (e) identifying emerging good practice - to ensure continuous improvement.

2.3 Key achievements in these areas have included:

- (a) the expansion of links with universal services operating in the Borough;
- (b) the continued development of training resources;
- (c) the implementation of the new Pan-London Safeguarding Adults Multi-Agency Policy and Procedure;
- (d) increased partnership work with health and social care commissioners;
- (e) the increase of service user consultation mechanisms; and
- (f) the further implementation of strategic lead model across key agencies.

3. Options Appraisal

- 3.1 The Annual Report is before Cabinet for information and for any comments Cabinet may wish to make.

4. Consultation

- 4.1 The Annual Report was taken in draft to the Safeguarding Adults Board in July 2012. Attendees of the Safeguarding Adults Board represent a diverse mixture of organisations; these attendees were asked to take the Annual Report back to their agencies for consultation through their own approval procedures by 13th August 2012.

5. Financial Implications

Implications completed by: Dan Herholdt, Accountant

- 5.1 The Adult Safeguarding Team cost to the council is £342,400 per annum.
- 5.2 The Safeguarding Adults strategy would also include usage of a number of other Council services for example Children's, Housing, and Legal services.
- 5.3 In addition, the Council has a duty of care to all Barking and Dagenham residents. This is delivered through the Adult Social Care budgets, which is NET £45,725,000 for 2012-13.
- 5.4 There are significant financial constraints and pressures on these Adults Social Care budgets and is imperative that the strategy is achieved within budget.

6. Legal Implications

Implications completed by: Eirini Exarchou, Lawyer

- 6.1 The Care and Support Bill, published on 11 July 2012, places adult safeguarding within a legal framework and consolidates more than a dozen different pieces of legislation into a single law for adult care and support. As a result, the status of the Adult Safeguarding Board shall be changed, placing it on a statutory footing. Each Board will be required by law to publish a strategic safeguarding plan, with a view to developing shared strategies for safeguarding, and report annually on its progress, to ensure that agencies activities are effectively co-ordinated.

7. Other Implications

- 7.1 **Risk Management** - There is currently no legal obligation upon the Safeguarding Adult Board to publish an Annual Report. However, it is considered best practice and is a means of assuring the wider partnership that progress is being made against the strategic action plan.
- 7.2 **Staffing Issues** - The achievements within the Annual Report were delivered within existing Council and Partnership resources.
- 7.3 **Customer Impact** - Adults at Risk in Barking and Dagenham continue to experience abuse and neglect and so it is a key priority for the Partnership.
- 7.4 **Safeguarding Children** - Perpetrators who pose a risk to vulnerable adults often also pose a risk to children. Therefore the Board works with senior representatives from Children's Services to ensure that services are linking up wherever necessary.
- 7.5 **Health Issues** - Health and safeguarding issues are inextricably linked. By working closely with BHRUT, NELFT, NHS ONEL, and Mencap, the Safeguarding Adults Board has worked to ensure that where there is overlap between health and safeguarding issues, problems are addressed in a joined-up fashion.

Given that those with mental health and learning disability issues are often more likely to require safeguarding, the annual report outlines the steps that have been taken to continue and enhance the existing partnerships for safeguarding those with needs that could make them particularly vulnerable.

- 7.6 **Crime and Disorder Issues** - S17 of the Crime and Disorder Act 1998 requires local authorities to integrate consideration of the impact on crime and disorder of any decision, policy, activity or strategy that it performs. The authority is required to ensure that there is no negative impact on crime and disorder of any such decisions. While an Annual Report is not currently a statutory requirement, it can be considered best practice, as it will increase confidence in the Partnership: there are no negative impacts arising from this document.

Background Papers Used in the Preparation of the Report:

- Barking and Dagenham Safeguarding Adults Board Strategic Vision (2009)
- Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse (2011)

List of appendices:

Appendix 1: Safeguarding Adults Board Annual Report

Annual Report

Barking and Dagenham Safeguarding Adults Board

April 2011 - March 2012



Barking & Dagenham
Partnership

Contents

	SECTION
The Vision	1
Foreword	2
Introduction	3
Achievements	4
Performance	5
Equality and Diversity	6
Board priorities 2012/15	7
Board Membership	8
Training	9

The Vision

1

In 2009 the Safeguarding Adults Board set out its strategic three year vision:

“By 2012 we will have implemented the first phase of our improvement plan alongside reacting fittingly to any changes which may emerge following the review of No Secrets and the Draft Pan London Safeguarding Procedures. We will also have embedded the broader safeguarding duties across the partnership around the ‘Deprivation of Liberty’, ‘Vetting and Barring Scheme’ and the IMCA work. We will also be effectively influencing the personalisation agenda ensuring that risk is being identified and effectively managed. We will have strengthened the capacity of the SAB governing infrastructure through the development of new subgroups. We will be able to provide auditable evidence of the quality of interventions provided by agencies and be able to evidence successful outcomes through new performance management systems. We will have strengthened joint working across the partnership through the strengthening of partnership protocols and agreements. We will be engaging with professionals and the wider community to cultivate a greater consensus around the importance of a co-ordinated community response to safeguarding concerns and finally we will be systematically consulting with our service users to ensure that what we deliver is working”.



Foreword

2

2011 will be remembered as the year when abuse was exposed at Winterbourne View Hospital, and the year when public sector cuts took hold. The horror depicted in the BBC Panorama exposé of Winterbourne View Hospital catapulted the issue into the media spotlight and prompted us all to look again at how we work together to protect adults at risk.

This annual report demonstrates that despite the uncertainty that public sector cuts are bringing, we have continued to work together to minimise the impact upon our local safeguarding arrangements. In this report, you will find a vibrant and effective Partnership. The continued increase in the number of people contacting our services with concerns shows that the training, briefings, and publicity campaigns we have worked on are successfully heightening awareness and recognition across the Borough. We should also celebrate the progress that we have made in supporting service users to shape the perception of others, culminating in the production of the ‘Say No to Abuse’ Training Film, which is not only testament to the power of local service users voices, but also to what we can achieve when we all come together. I am proud of our achievements this year and look forward to continuing this progress in the coming year.

Linda Reason

Cllr. Linda Reason
*Cabinet Member for
Adult Services and Human
Resources*



Introduction

3

This is the annual report for the Barking and Dagenham Safeguarding Adults Board for April 2011 - March 2012. To help you understand our work we have put together a few pieces of information on what we do.

What is the Barking and Dagenham Safeguarding Adults Board?

The Barking and Dagenham Safeguarding Adults Board brings together a variety of local statutory and voluntary organisations to lead and co-ordinate the local strategy to safeguard adults at risk from abuse and neglect. At these meetings, progress is reviewed and partners work together to raise concerns, discuss Borough-wide issues, and find opportunities to improve services for adults at risk of abuse and neglect. This includes working together to ensure that all services in Barking and Dagenham comply with safeguarding adult policies and procedures and raising awareness of the issue across the borough.

Its members include:

- Barking and Dagenham Mencap
- Barking and Dagenham Metropolitan Police
- Barking Havering and Redbridge University Hospital Trust
- Carers of Barking and Dagenham
- Care Quality Commission
- HUBB Mental Health User Group
- London Ambulance Service
- London Borough of Barking and Dagenham (LBBD) Adult and Community Services
- LBBD Children's Services
- LBBD Housing Services
- LBBD Legal Services
- London Fire Service
- London Probation
- NHS Outer North East London
- North East London Foundation Trust

How does the Safeguarding Adults Board deliver the Strategic Action Plan?

There are three subgroups of the Safeguarding Adults Board. These include;

- Case Review Subgroup
- Training and Education Subgroup
- Performance Monitoring Subgroup

The subgroups meet quarterly and consist of representatives from the member agencies.

What were the Board's Priorities?

The Safeguarding Adults Board priorities for 2011/12 included:

- Ensuring effective leadership and governance of all safeguarding adult processes and practice;
- Prevention - ensuring the co-ordinated protection and prevention of possible abuse;
- Responsive - ensuring a co-ordinated and effective response to abuse that we identify;
- Strengthening joint working and practice across agencies and the wider community;
- Identifying emerging good practice - to ensure continuous improvement.

National developments

In the past year there have been a number of changes that have influenced the priorities of the Safeguarding Adults Board. The challenges and changes that we have faced include cuts in public sector spending, the Coalition Government's Big Society philosophy including a focus on localism, health service reforms, policing reforms, the Law Commission's review of Adult Social Care legislation in May 2011, followed a week later by the Government Statement on Adult Safeguarding.

The Board has worked hard to understand the impact of these national policy changes for the communities of Barking and Dagenham. We are striving to lead the borough to take advantage of the opportunities these changes present and minimise the risks. A summary of the Board's achievements of the past year and its future aims are contained in the following pages.

Regional developments

2011 saw the publication of *Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse*. This policy and procedure, led by the Joint Improvement Partnership and the Social Care Institute of Excellence (SCIE), represented three years' work and demonstrates a commitment across London to improve consistency and quality of responses. Barking and Dagenham contributed to the development of this milestone document through involvement on the Pan-London Adult Safeguarding Editorial Board.

Achievements

4

1. Ensuring effective leadership and governance of all safeguarding adult processes and practice

Linking with the Shadow Health and Wellbeing Board

Health and Wellbeing Boards are a key part of the Government's plans to modernise the NHS. Barking and Dagenham were chosen as an early implementer of shadow Health and Wellbeing Boards; as such throughout 2011 the Safeguarding Adults Board has worked to establish early strategic links with the shadow Board.

Protecting strategic posts in NHS Commissioning arrangement

As part of the Government's NHS reforms the local NHS commissioning arrangement has been significantly reorganised. Throughout this restructure the Board has lobbied to ensure that the potential safeguarding adult repercussions are minimised locally, particularly in relation to protecting the dedicated strategic posts within the local NHS commissioning arrangement that have already proven so beneficial to the Partnership.

Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse

In April 2011, the Council launched local guidance to support implementation of the new London wide procedures. In the weeks running up to the launch, briefings were provided to relevant teams across the Partnership to facilitate a smooth transition to the new ways of working. The Borough also led on the North East London regional launch, which was marked by a joint press launch.

Six month review of Implementation

In October 2011, two workshops were held with adult social care managers and representatives from mental health to review implementation of the 'Protecting Adults at Risk: London multi-agency policy and procedures to safeguard adults from abuse'.

Barking, Havering & Redbridge University Hospital Trust

The Trust's Adult Safeguarding policy was updated in line with NHS Litigation Authority and 'Protecting Adults at Risk: London multi-agency policy and procedures to safeguard adults from abuse'.

The Trust worked across the region to develop a universal alert form. A process of Visible Leadership Days was also introduced to ensure that practice on each of the wards was as it should be - this included a specific focus upon safeguarding.

The Trust also established a Pressure Ulcer database, which was populated by ward sisters on a weekly basis to facilitate analysis and monitoring across the hospital.

Safeguarding Adult Board Business Planning Day

In October 2011, the Safeguarding Adult Board hosted its Annual Business Planning Day where it set its priorities for 2012/13. The session involved an interactive walk through of relevant government policy and local achievements (pictured).

Consultation on Deprivation of Liberty Safeguards

A Department of Health Consultation on options for funding of the Deprivation of Liberty Safeguards functions took place in October 2011. A response to the Consultation was submitted by the Partnership.

London Fire Brigade Safeguarding Adults at Risk Policy

In April 2011, the London Fire Brigade published a Safeguarding Adults At Risk policy. It set out the role of the fire service in safeguarding adults and established alerting protocols for each Borough.

NHS Outer North East London

In 2011, NHS Outer North East London published their revised Safeguarding Adults Policy on their website and led on the Department of Health Safeguarding Adults Self-Assessment for health care services operating in the region.

North East London Foundation Trust (NELFT)

In 2011, North East London Foundation Trust commissioned Deloitte to audit the organisational Safeguarding Adults Policies and Procedure. Following the audit, North East London Foundation Trust developed an action plan to move the organisation forward.

The Named Nurse for Safeguarding Adults set up quarterly Adult Safeguarding Group Supervision for various Health staff within the Community Learning Disability Team as well as a link-worker network for practitioners to share learning and disseminate information. This forum meets monthly and reports to the NELFT Safeguarding Adults Operational Group.

A Safeguarding Adults Managers Forum was established for North East London Foundation Trust's community health services and mental health services to facilitate communication with the local authority Safeguarding Adults Team. This forum has enabled direct feedback on implementation of the Government's *Protecting adults at risk: London multi-agency policy and procedures to safeguard adults at risk from abuse and neglect*.

A 'Self-neglect Check List' was also developed and rolled out to North East London Foundation Trust staff in 2011, to guide professionals in cases where the patient self-neglect is having a significant effect on their health.

Joint Strategic Needs Assessment 2011

Safeguarding Adults data was included within the 2011 Joint Strategic Needs Assessment for Barking and Dagenham. This has enabled safeguarding priorities to become embedded within future commissioning plans across health and social care.



Regional Launch of 'Protecting Adults At Risk; London multi-agency policy and procedures to safeguard adults from abuse' April 2011



Safeguarding Adults Board Business Planning Day October 2011

2. Prevention - Ensuring the co-ordinated protection and prevention of possible abuse

North East London Foundation Trust Safeguarding Adults Day

North East London Foundation Trust hosted a Safeguarding Adults Day in October 2011. The one-day workshop focussed on the issue of disability related harassment in the light of the MENCAP 'Stand By Me' Campaign. Speakers included Barking and Dagenham Metropolitan Police Service, the council's Safeguarding Adults Team, Victim Support, and NHS Commissioners.

Deprivation of Liberty Safeguards Learning Event for Health professionals

The local authority and local NHS continued to raise awareness of the Deprivation of Liberty Safeguards, which are seen as a preventative safeguard for individuals who lack capacity to make decisions around the provision of care they receive while in hospital or a care home setting, through a programme of training with local managing authorities.

Requests for Deprivation of Liberty Safeguard authorisations have been very low from health settings. In order to increase awareness the Safeguarding Adults Board delivered a learning event at Queens Hospital in Spring 2011 for professionals from across the health sector to further raise awareness of the Deprivation of Liberty Safeguards.

Care Quality Commission inspections at Queens and King George hospitals

In late 2010, the Care Quality Commission raised concerns in relation to Maternity, Accident and Emergency, discharge planning, pressure ulcer care, dignity and nutrition, staffing training, and appraisals and resuscitation at Queens Hospital and King George. The Care Quality Commission continued to carry out responsive reviews in 2011 to review progress. The Safeguarding Adults Board monitored the situation at both hospitals through regular updates from both the Trust and the Care Quality Commission.

Safeguarding Adult Training for Police

In April 2011, the local authority worked in partnership with the Police to deliver safeguarding adult training to police officers working within the Community Safety Unit (Domestic Violence & Hate Crime) and the Sapphire Unit (Sexual Violence).

World Elder Abuse Awareness Day June 2011

A public information stall was held on June 15 2011 at the Barking Learning Centre to raise awareness of Elder Abuse across the local community. The information stall was staffed by representatives from the Council, the Police and North East London Community Health Services.

Carers of Barking and Dagenham 'Take a Break' project	In 2011, the 'Take a Break' project was launched by Carers of Barking and Dagenham. The project works with carers to reduce carer stress with an aim to prevent and reduce incidents of carer abuse.
Barking, Havering & Redbridge University Hospital Trust	Throughout 2011 the named nurse for safeguarding adults at Barking, Havering & Redbridge University Hospital Trust delivered a programme of safeguarding adults training to nurses, care assistants, consultants, and junior doctors. The Mental Health Liaison Nurse delivered a similar programme on mental capacity training.
HUBB Independent Mental Capacity Act Training	In April 2011, HUBB delivered training to staff in the home to improve understanding around the Mental Capacity Act and the role of Independent Mental Capacity Advocates. In addition, HUBB regularly distributed flyers to residential and nursing homes across the Borough to offer free Mental Capacity Act/Deprivation of Liberty Safeguards Training.
NHS ONEL Performance Monitoring	An NHS ONEL Contracting quality safety and safeguarding committee was established in January 2012 to examine issues that arise in care-giving. Chaired by the Assistant Director of out-of-hospital care at NHS ONEL, it reports into the NHS ONEL Quality and Safety Committee.
London Ambulance Service	Following a review by the Central LAS Safeguarding Improvement team in January 2011, an action plan was developed to address areas for further work.
Prevention of extremism	During 2011, the Council's Prevent Co-ordinator worked alongside the Safeguarding Adults Team to identify the cross-cutting aspects of the Prevent Agenda including consultation in relation to the development of the local Prevent Strategy.
Mental Health Opportunities Forum	In May 2011, the Safeguarding Adults Board held a Safeguarding Adults Awareness session with members of the Mental Health led Opportunities Forum, professionals from the Job Centre Plus and mental health professionals.
'Why victims don't leave' Conference	In May 2011, the Safeguarding Adult Board hosted a conference for multi-agency staff to explore the long standing question of why victims, particularly adults at risk, find it difficult to leave abusive relationships. It was felt that this was a particularly important dialogue to have with staff because it may be a barrier for

'Why victims don't leave' Conference continued...

professionals escalating safeguarding adult concerns. The key note address was given by the widely acclaimed psychotherapist Zoe Lodrick (pictured) who specialises in victim trauma. Attended by over fifty professionals from across the Partnership, the conference evaluations were very positive.

Adult Social Care Apprentices

In June 2011, Safeguarding Adults training was delivered to the new intake of Adult Social Care Apprentices.

Town Show - July 2011

Once again the Safeguarding Adults Board hosted a public information show over the weekend of the Dagenham Town Show (pictured). Local authority staff were joined by service users from the learning disability Community Safety group and over six hundred leaflets were distributed to members of the public. As a result of conversations with the public, four direct disclosures were made which resulted in investigations.

Commissioning

Safeguarding Adults aspects of commissioning and contracting have been improved in 2011 through improved systems of information sharing between the two service areas.



Town Show
July 2011



Deprivation of Liberty
Safeguard Conference at
Queens Hospital
July 2011



'Why Victims Don't Leave'
Conference
May 2011

3. Responsive - Ensuring a co-ordinated and effective response to abuse that we identify

Barking, Havering and Redbridge University Hospital Trust

In 2011, Barking, Havering and Redbridge University Hospital Trust increased the capacity of its safeguarding team to include a new Named Nurse, Safeguarding Adults who came into the post on the 6th February 2012, additional administrative support, and a Named Doctor working 3 sessions per week.

In March 2012, the inaugural Learning Disability Sub-Committee meeting was held. The purpose of the committee is to review and implement work identified by the Learning Disability Committee for learning disability patients in order that the Trust meets its statutory obligations and demonstrates best practice and to ensure there is a multi-disciplinary approach to learning disability within the Trust.

Performance Monitoring Quality Assurance Workshop

On 1st July 2011, the Board's Performance Monitoring Subgroup hosted a workshop to examine the outcomes identified in the May 2011 Statement of Government policy on Adult Safeguarding with the aim of developing a multi-agency data set to support the Board to monitor performance across the Partnership

Multi Agency Risk Assessment Conference (MARAC)

During 2011, Safeguarding Adults processes were further embedded into the Multi-Agency Risk Assessment Conference for high risk victims of domestic and sexual violence. Initial concerns around duplication arising from the integration of Safeguarding Adults within MARAC arrangements were resolved through communication with the original developers of the MARAC model in Cardiff.

4. Strengthening joint working and practice across agencies and the wider community

White Ribbon Day

A Safeguarding Adults presentation was given at the White Ribbon Day in November 2011. The presentation focussed upon the particular types of domestic abuse faced by adults at risk and the associated services available in such cases. The half day targeted staff from Housing Services and was attended by over 70 staff from across the service.

iCare campaign

During 2011 the partnership continued to promote safeguarding adults through its successful 'iCare' campaign. This included a Christmas Campaign to raise awareness of 'Adults At Risk' in the community over the Christmas break. The poster was more explicit than previously, following feedback from members of the public that images used on the posters should be more direct. The poster was launched on the council's Facebook page and also within the local newspaper.

Safeguarding Adult Awareness sessions with adults with learning disabilities

Throughout 2011 the Safeguarding Adults Board worked in partnership with the Barking and Dagenham Adult College to deliver a series of 'Healthy relationship' training sessions for students with learning disabilities. The interactive and accessible sessions were designed to increase awareness of the different types of abuse and neglect that adults with learning disabilities are likely to face and to empower the group to recognise and report abuse that they may witness or experience.

Carers Advanced Directives and Lasting Power of Attorney Workshop

In April 2011, Carers of Barking and Dagenham hosted a workshop for carers where a solicitor specialising in advanced directives and lasting power of attorney provided information on the safeguards in place to support safe decision making and financial and management for individuals lacking capacity.

Speech and Language Therapy issue

In 2011 concerns escalated to NHS ONEL and BHRUT in relation to the potential impact of a lack of availability of Speech and Language Therapy was reviewed and addressed through the NHS ONELs commissioning cycle.

'At a Glance' Policy Summary

In October 2011, the Safeguarding Adults Board developed an 'At a Glance' Policy summary of all of the recent policy, guidance and legislation which has emerged around safeguarding adults.

Learning Disability Awareness Week - Hate Crime

In June 2011, an awareness event for service users was held at the Adult College to mark Learning Disability Awareness Week (pictured). The event was attended by over fifty service users, carers and professionals. The theme of the event, in line with the national MENCAP 'Stand by Me' campaign, was disability hate crime. The event included presentations by the police and the council on Safeguarding Adults and Hate Crime, together with a presentation on incidents of hate crime on the bus and rail network by the Safer Transport Police. Attendees were also encouraged to test out the local easy read hate crime reporting forms and gather information and community safety items such as purse bells, PVC door alarms and easy read literature.

Distribution of 'Safe Cans' by the local police

In spring 2011, the 'Message in a bottle' scheme was launched by the police and the local 'Lions Club'. The scheme encouraged adults at risk to use the canisters to store information about their emergency medical and care needs in a common location (the fridge) to enable emergency services to quickly ascertain the needs of individuals.

Review of joint induction training

The Training and Education Subgroup led on the review of the joint council and North East London Foundation Trust Safeguarding training. This innovative programme includes induction in relation to safeguarding adults at risk and children alongside the cross cutting issue of domestic abuse.

Learning disability and Carers Community Safety Group

Throughout 2011 the safeguarding adult partnership worked with the 'Learning Disability and Carers Community Safety Group' to deliver a number of initiatives;

- The development of a voluntary 'adult at risk' database, which can be used by the partnership to target resources and ensure effective communication of safety messages.
- Supporting the provision of challenging behaviour training for carers supporting adults at risk
- Facilitating London Fire Service free smoke alarm and fire safety checks with local adults with learning disabilities
- Improved representation of individuals with learning disabilities upon local safer neighbourhood ward panels
- Distribution of purse bells and personal alarms to repeat vulnerable victims of crime
- Facilitation of registration of service users mobile phones with the police

Partnership with Silvernet Older peoples Forum

A Safeguarding Adults Session was held on the 7th December with members of Silvernet, the new Barking and Dagenham Forum for Older People.



Learning Disability Awareness Week - Hate Crime
June 2011



5. Identifying emerging good practice to ensure continuous improvement

Regional Chairs meeting	Throughout 2011 the independent chair of the Safeguarding Adults Board met regularly with the chairs of neighbouring borough Safeguarding Adult Boards to explore opportunities for joint work and to consider broader implications of policy, legislation and cuts.
Maternity project (NHS ONEL and BHRUT)	A Maternity project led by NHS ONEL was launched in April 2011 to address inequalities for parents with learning disabilities. The aim of the project being to develop commissioning intentions to support parents with learning disabilities from the perinatal period up to the child's second birthday. The project includes staff education, accessible user information, use of a screening tool, improved communication pathways with specialist agencies such as MENCAP. The project reported progress to the Barking and Dagenham Learning Disability Partnership Board.
Community Safety Partnership Murder Review	In 2011 the Community Safety Partnership came together to review the murder of a man in Barking and Dagenham. While the case did not initially meet the threshold of a local Serious Case Review, it was felt that it would be beneficial to examine the details of the case to identify wider lessons for local agencies
Transformation of Adult Social Care	Throughout 2011/12 Adult Social Care continued its program of transformation. This transformation provided an opportunity to agree designated roles and responsibilities for Safeguarding Adult Managers (SAMs). An integral part of the transformation was the 'Putting People First Training Programme' to all social care staff. This programme included a dedicated safeguarding adult module, developed in partnership with the Safeguarding Adults Team.
Mental Capacity Act Training Refresher	Following the auditing of safeguarding adult cases Mental Capacity Act awareness emerged as an area of inconsistent practice. Therefore, between April 2011 and June 2011, Steven Chamberlain, the Department of Health Lead for Mental Capacity and Safeguarding, was commissioned to deliver refresher training to all Adult Social Care Teams. Since this training audits have demonstrated an improved application of this key piece of legislation.
Case Review Subgroup review of large scale investigations	Throughout 2011 the Case Review Subgroup reviewed four large scale investigations in order to identify lessons to be learned.

Recruitment of Training Co-ordinator for the Board	In August 2011, the Safeguarding Adults Board Training Co-ordinator was recruited. This is a joint post funded through contributions from Barking and Dagenham Metropolitan Police, the council and North East London Foundation Trust.
Safety Express	During 2011 Barking, Havering and Redbridge University Hospital Trust engaged in the Safety Express programme in conjunction with relevant local partners. This is part of the Quality, Innovation, Productivity and Prevention agenda (QIPP) and includes monitoring the levels of safety with regard to key indicators including pressure ulcers, falls, catheter associated urinary tract infections and Venous Thrombo-Embolism and this gauges the level of safety against a 'thermometer'. Part of the programme includes Audits on a monthly basis as part of the monitoring process.
The 'Say No to Abuse' Film	<p>The Training and Education Subgroup concentrated in 2011 on the development of a film, acted by local adults with learning disabilities, which could be used during training sessions with staff and service users alike to highlight the types of abuse and neglect affecting adults at risk in Barking and Dagenham.</p> <p>Following 12 months of production alongside the Walthamstow Amateur Cinevideo Club the film was launched in March 2012 at Eastbury Manor. The stars of the film arrived in a Limousine, kindly donated by Twinwheels Limousines, receiving a red carpet welcome from the 80 attendees. Everyone then watched a preview of the film followed by an Oscar style awards ceremony, with awards presented by the then Worshipful the Mayor of the London Borough of Barking and Dagenham Councillor Milton McKenzie OBE and Inspector Richard Thomas from Barking and Dagenham Metropolitan Police. The party then continued until 10pm with a 'Sharkies' Disco in the Great Hall. A Training Resource was also developed to accompany the film.</p>
Age UK National Conference	In May 2011, Barking and Dagenham were invited to speak about the work that the partnership had done with the voluntary sector and the community to raise the profile of safeguarding adults at the Age UK National Conference.
MPS Safeguarding Adult at Risk Steering Group	In 2011 Barking and Dagenham joined the Metropolitan Police Service Safeguarding Adult at Risk Steering Group, held at Scotland Yard. The group is a partnership consultation mechanism for the Metropolitan Police in delivering their work around adults at risk.

Havering Care Association Annual Conference

Barking and Dagenham Council addressed the Havering Care Association Conference at the City Pavilion in October 2011 on the recent policy changes in Safeguarding Adults and the role of Care Homes within the new 'Protecting Adults at Risk: London Multi-agency Policy and Procedures to Safeguard Adults from Abuse'.

Reflection upon Winterbourne View Hospital

Following the May 2011 Panorama expose of the abuse and neglect of individuals with learning disabilities at Winterbourne View hospital in Bristol, concerns were raised across the country around how authorities manage their 'out of borough' placements. While, Barking and Dagenham residents had not been placed at Winterbourne, or indeed any of the Castlebeck managed facilities, locally the local authority and health commissioners reviewed their policies to ensure that out of borough placements were in receipt of regular reviews.

In October 2011, the board business planning day included a fictional scenario, based upon the incidents at Winterbourne View Hospital, so that members could consider whether local policy and procedures would successfully mitigate the risk of a similar event occurring in Barking and Dagenham.

Carers of Barking and Dagenham

In April 2011, Carers of Barking and Dagenham secured lottery funding to develop an innovative volunteering project to offer practical support to carers across the borough.

Over the summer Carers of Barking and Dagenham also worked with the Princess Royal Trust to train local trainers to deliver personalisation awareness training to carers in the borough

Rix Centre 'Klik-in' Project

Barking and Dagenham joined the Rix Centre 'Klik-in' Project. The Rix Centre is based at the University of East London and is a charitable research & development organisation specialising in using new media technology to improve the lives of people who have learning disabilities. Having been awarded European Funding to research how service users with a learning disability may benefit from gaining skills in developing an 'About Me' website to support social inclusion a group of local service users were trained in March 2011 and continue to spread the skills they have learned across their networks.

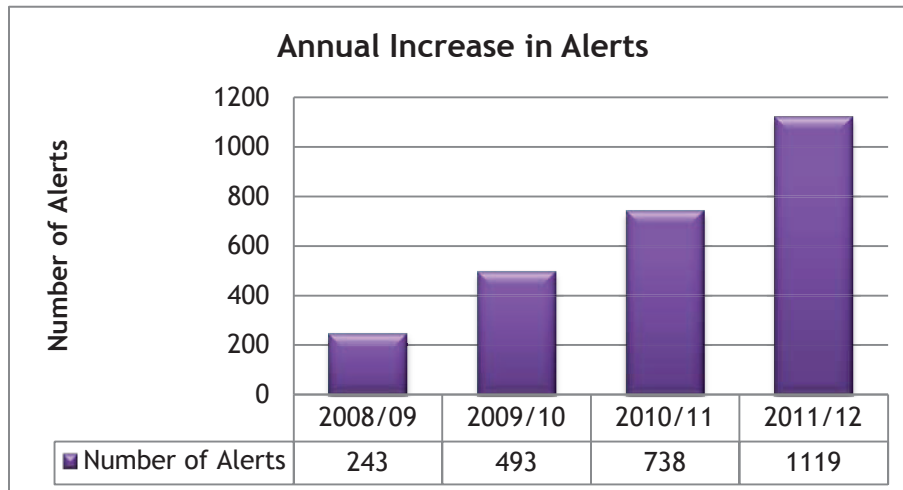
Launch of the 'Say No to Abuse' Film - March 2012



Performance

5

In 2011/12, we received a record level of Safeguarding Adults alerts, suggesting that we are effectively increasing identification of abuse and neglect.



This was an increase of 52% from 2010/11 levels.

Outcomes of Safeguarding Adults investigations:

- 34% Substantiated
- 12% Partly Substantiated
- 50% Not Substantiated
- 4% Inconclusive

In 2011/12 the three common perpetrator groups were...

- Family Members 23%
- Care Staff 18%
- Partners 16%

There was an increase in alerts from the police, suggesting that our partnership work is continuing to improve.

Outcomes from Safeguarding Investigations

Below are some examples of cases which have been investigated by the partnership:

Domiciliary Care Agency

In April 2012, multiple allegations of financial abuse by staff at a domiciliary care agency were substantiated. A carer was charged with theft from a cash-point and went on trial in May 2012.

Care Home

In May 2011, the partnership carried out an investigation into a care home in Dagenham, following concerns raised by families, health and social care professionals and an anonymous whistle-blower that management oversight at the home was poor. The investigation substantiated the allegations and in particular found that poor supervision had led to one resident being assaulted by another resident. As a result of the investigation, a temporary embargo was put in place until an improvement plan had been implemented.

Nursing Home

In July 2011 Community Health Service staff raised serious failures in relation to pressure sore management; dressing applications; catheter management; infection control; personal care; pain management and nutrition/dehydration at a Nursing home in Dagenham. A full investigation followed and institutional neglect was substantiated. An embargo was issued by health and social care commissioners while an improvement plan was implemented.

Registered Nurse within a Care home in Barking and Dagenham

A police investigation revealed that two carers had witnessed a nurse place objects in a dementia patient's mouth to prevent her shouting. The nurse has had her licence to practice temporarily suspended by the Nursing and Midwifery Council and went to criminal trial in May 2012 on 2 charges of common assault against a vulnerable adult.

Informal carer financial abuse

An informal carer stole £5000 from a man using his bank card without his knowledge. The carer was arrested and admitted stealing. He awaits trial.

Targeted Burglaries

An individual was convicted of multiple burglary artifice offences (bogus callers) against elderly victims, including one in this Borough, and sentenced to ten years imprisonment.

Disability Harassment

Two young people aged 12 and 17, were found guilty of the Robbery of an individual with Aspergers Syndrome, who they had deliberately targeted because of his disability. They were ordered to pay £100 compensation to the victim and pay £50 costs.

Equality & Diversity 6

Central to Safeguarding Adults work are the concepts of dignity, respect, equality, and fairness. The Safeguarding Adults Board Strategy and Action Plan acknowledged that some individuals are more likely to be abused than others and less likely to be able to protect themselves against significant harm or exploitation.

Quite often the circumstances of these individuals are compounded by the presence of wider equality considerations such as sexuality, age, faith, gender, and ethnicity.

The strategy continues to have a positive impact upon reducing the inequalities faced by vulnerable adults by providing them with increased access to support and the level of protection available.

Through implementation of this strategy we have collectively been able to improve the quality of their lives by supporting them to live free from abuse and harm.



Board Priorities 2012/15 7

The Safeguarding Adults Board adopted the strategic objectives set out within the Government Statement issued in May 2011. These include:

Empowerment	Presumption of person led decisions and informed consent.
Protection	Support and representation for those in greatest need
Prevention	It is better to take action before harm occurs
Proportionality	Proportionate and least intrusive response appropriate to the risk presented
Partnership	Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.

Priority actions for 2012/15 include:

Policy and Procedures

- Self Neglect Strategy
- Large Scale Investigation Protocol
- SAB Whistle blowing concordat

Campaigns

- Advice leaflet for friends/ family of Adults at Risk
- ICare 2
- Working with Mothers with Learning disabilities subject to child protection.

New Partnerships

- Roundtable in relation to Disability Hate Crime
- Roundtable with Faith Groups

- Forge links with the Health and Safety executive

Support

- Post abuse peer support group
- Staff Quarterly Bulletin

Training

- Training for Fire Service

Board Membership 8

Barking and Dagenham Mencap & PACT

Joy Palmer
Director

Barking and Dagenham Metropolitan Police

Philip Howarth
Detective Chief Inspector

Barking, Havering and Redbridge University Hospital Trust

Deborah Wheeler
Director of Nursing

Care Quality Commission

Margaret McGlynn
Local Area Manager

Carers of Barking and Dagenham

Lorraine Goldberg
Director

Elected Member

Cllr Linda Reason
Portfolio Holder for Adult Services and Human Resources

HUBB

Jenny Gray
Director
Independent Chair
Natasha Bishopp (*until January 2012)
Deborah Klee (*from June 2012)

London Ambulance Service

Paul Gibson
Safeguarding Representative

London Borough of Barking and Dagenham

Adult and Community Services

Anne Bristow
Corporate Director of Adult and Community Services

Bruce Morris
Divisional Director Adult Social Care (Chair of Case Review Subgroup)

Glynis Rogers
Divisional Director Community Safety and Public Protection

Dr Karen Ahmed
Divisional Director Adult Commissioning

Mark Tyson
Group Manager Service Support and Improvement (Chair of Performance Monitoring Subgroup)

Children's Services

Chris Martin
Divisional Director of Children's Complex Needs and Social Care

Housing Services

Ken Jones
Divisional Director Housing Strategy

London Fire Service

Chris Daly
Borough Commander

London Probation Trust

Lucy Satchell-Day
ACO - Barking and Dagenham and Havering LDU

NHS North East London and the City
Helen Davenport
 Deputy Director Safeguarding

**North East London Foundation Trust -
 Community Health Services**
Jacqui Kavanagh
 Head of Nursing
 (Chair of Training and Education Subgroup)

**North East London Foundation Trust -
 Community Health Services**
Jacquie Van Rossum
 Managing Director

**North East London Foundation Trust -
 Mental Health Services**
David Horne
 Operations Director Mental Health

Advisors

**Barking, Havering and Redbridge
 University Hospital Trust**
Dr Kantha Niranjana
 Safeguarding Adults Clinical Lead

**London Borough of Barking and
 Dagenham**
Legal Services
Shahnaz Patel
 Senior Solicitor Safeguarding

**London Borough of Barking and
 Dagenham**
Adult and Community Services
Helen Oliver
 Group Manager Safeguarding Adults

NHS North East London and the City
Julie Dalphinis
 Strategic Implementation Lead
 Safeguarding Adults

Training

9

The Safeguarding Adults Board continued to fulfil its training function across the Partnership throughout 2011/12 with 792 members of staff trained between April 2011 and March 2012 (Appendix 1).

The Board's training capacity was also enhanced through the recruitment of a Partnership appointment of Training Co-ordinator for the Sub-group, who set about developing the systems to deliver the SAB Training Strategy.

Delegate feedback from sessions includes:

Very informative and helpful to know how to report abuse and what to do when it occurs.

I am able to understand how abuse is perpetrated in all kinds of circumstances and how the elderly are targeted so much more shocking.

Clear concise and easily understandable.

Yes I would recommend the training to other organisations - the best training I have been on.

Highlighting the range of abuse and importance of referral forms, having as much detail as possible.

I learned all about the process of when an alert is made through to the final stage.

I learned about different types of abuse, how to write a report and how important safeguarding is.

All those working with service users should have the training.

Appendix 1: Training breakdown

Subject	Date	Total Attendees
Children Trust Joint Induction (Safeguarding Adults; Children and Domestic Violence)	May 2011 Sept 2011 Nov 2011	20 LBBD
Putting People First - Module 6 - Safeguarding Adults and Risk Management (Advanced)	09.05.2011 10.05.2011 21.07.2011 23.09.2011	34
Mental Capacity Act Training for Social Workers Refresher (Steve Chamberlain)	13.04.2011 14.04.2011 13.05.2011 16.05.2011 26.05.2011	93
SA Procedures	01.04.2011	30
Awareness Recognition and Referral	12.10.2011 04.11.2011 02.12.2011 07.03.2012 14.03.2012 23.02.2012	100
Practitioners Forum	06:04:2011	30
Deprivation of Liberty	25.10.2011 15.11.2011 07.12.2011	41
Business planning day	14.10.2012	26
White Ribbon Day - Safeguarding Adults at Risk from Domestic Abuse	25.11.2012	75
Why Victims Don't Leave	24.05.2011	56
Healthy Relationships & Safeguarding	25.11.2011	13
Safeguarding Adults and Children: Housing	15.12.2011 16.12.2011 17.02.2012 01.03.2012	56
Protection of property	25.11.2011	06
Investigators Training Part 1 & Part 2	June 2011	30
NELFT-MCA/DOLS	6 session	50
NELFT-Safeguarding LD & Hate crime	1 Session	25
NELFT-Additional Safeguarding	4 session	50
NELFT-Adult safeguarding	7 session	91

CABINET**13 November 2012**

Title: Annual Report on the Financial and Service Performance of the Elevate Joint Venture 2011/12	
Report of the Cabinet Member for Customer Services	
Open Report	For Information
Wards Affected: None	Key Decision: N/A
Report Author: Jonathan Bunt, Divisional Director of Finance	Contact Details: Tel: 020 227 8427 E-mail: jonathan.bunt@lbbd.gov.uk
Accountable Divisional Director: Jonathan Bunt, Divisional Director of Finance	
Accountable Director: Graham Farrant, Chief Executive	
Summary: This report gives a summary of the first full year (2011-12) of the Elevate Joint Venture (JV). The JV is a partnership between the Council and Agilisys. There were three main objectives in creating the partnership: improved performance in the delivery of services; financial benefit to the Council through lower costs for delivery; and the creation of jobs. By the end of the first year of the contract, the Elevate JV delivered better services for lower cost and created 56 new jobs in the Borough.	
Recommendation(s) The Cabinet is recommended to note the summary of performance of Elevate East London LLP for the first full year (2011/12) as detailed in the report.	
Reason(s) The performance summary in the report draws upon data reviewed and agreed monthly by Elevate and the Council's client team, and reported quarterly to the Council's Strategic Partnering Board and monthly to the Elevate LLP Board.	

1. Introduction and Background

- 1.1 The Council entered into a joint venture contract with Agilisys on 10 December 2010, thereby forming Elevate East London LLP. The initial transferring services were IT, B&D Direct, Revenues and Benefits, and Accounts Payable and Procurement. The performance of these services during 2011-12 is covered in this report.
- 1.2 This Elevate arrangement was procured using the OJEU competitive dialogue procedure, and allowed within the scope of the OJEU for the transfer of further services as the partnership developed. On 1 March 2012, two further services were transferred: Transactional HR and Payroll, and on 1 April 2012 parts of Assets and Commercial Services were also moved into the Elevate arrangement. These services are not

covered in this report as a bedding-in period is allowed before performance reporting. These services will be included in next year's annual report to Cabinet.

- 1.3 A report to Cabinet on 22 November 2011 gave a summary of the performance of the initial transferring services for the first six months of the contract. This report gives a summary of the performance of these services for the first full year of the contract.

2 Service Performance

- 2.1 A table summarising the performance of Elevate in delivering the initial transferring services is included as **Appendix 1**, which gives the details for both the Key Performance Indicators or KPIs (where deductions apply if they are not met) and the Performance Indicators or PIs. KPIs measure those aspects of service delivery that have most impact on the Council, whereas PIs provide a measure of underlying service performance and highlight areas for improvement. The targets are reviewed each year and are benchmarked against previous service levels and services of other Councils.
- 2.2 What the Council pays for each of the services gets less each year, as described below, and so this, alongside an expectation of improvement in performance on an annual basis, has the effect of making the targets increasingly more challenging year on year. Any deductions as a result of missed targets come from the 10% performance fee which is paid to Elevate on top of the cost of the services. 40% of this fee is dependent upon performance against the KPIs.
- 2.3 B&D Direct, comprising the contact centre and the two one stop shops, exceeded all the Key Performance Indicator (KPI) targets set each month during the year. The service also exceeded all three Performance Indicators (PIs)
- 2.4 The Revenues and Benefits service performed well but missed 16 monthly KPI targets (out of a total of 84 across 7 KPIs) over the course of the year, leading to £7,789 deductions being applied from the performance fee. The service recorded nine monthly PI failures across 108 monthly PI targets, and one failed target out of the four annual PIs.
- 2.5 In 2011-12 the total amount of money collected by the Revenues and Benefits Service for Council Tax, Housing Rent and Leaseholder income rose by £2.086m compared to the previous year.
- 2.6 The ICT service also performed well, but missed 5 monthly KPI targets over the year (out of a total of 156 across 13 KPIs), and just missed the annual target on customer satisfaction. These led to deductions of £1,155 from the performance fee. The service had just eight monthly failures during the year out of 84 across the seven monthly PIs measured.
- 2.7 The Accounts Payable service missed six of the monthly targets for invoices paid within 30 days, leading to a deduction of £5,082 from the performance fee, although it is recognised that responsibility for this indicator is shared between Elevate and the Council. The service met both annual PIs.
- 2.8 The majority of monthly targets across all the services were either met or exceeded. A relatively small number of monthly targets were missed as described above, but in each

case a review of the underlying causes was undertaken together with the Council, and Service Improvement Plans put in place to address all of those areas.

- 2.9 Another area of performance not covered by the KPIs and PIs is the transformation activity carried out by Elevate over the year. A number of key projects have been undertaken successfully by Elevate on behalf of the Council, including those that formed part of the Customer Access Strategy, and the implementation, funded by Agilisys, of the Oracle iProc system to overhaul the way purchase orders are placed within the Council. However, it is too early to report on the full realisation of the benefits of this activity. For 2012-13 onwards a new KPI and PI have been agreed by Elevate and the Council which will measure the cost, quality and schedule of transformation projects, and the quality of reporting information, respectively.

3. Financial Performance: Target Cost

- 3.1. The Target Cost is the amount of money to be paid to Elevate each year for running the services. The target cost for 2011/12 was £21.523m and this comprised £18.998m for the three services that transferred at the start of the contract (B&D Direct, Revenues & Benefits and ICT), £1.900m management fee and £625k contribution to Elevate's overheads.
- 3.2. Over the ensuing seven-year life of the contract, Elevate is required to deliver significant savings on the target cost year-on-year starting with an 8% reduction in Yr 2. These savings will eventually lead to a target cost of £17.589m for the last full year of the contract (which includes £1.592m management fee and £625k overheads). Attached at **Appendix 2** is a schedule showing the target cost for each year of the seven-year contract life.
- 3.3. The base target cost for each of the three services was predominantly derived from the core base budgets that the Council held prior to service transfer though also reflected the way the managing partner, Agilisys, expected to run the services.
- 3.4. Although due diligence exercises were carried out by both parties prior to the signing of the contract, it was generally accepted that the core base budgets for each of the services did not necessarily represent the current expenditure levels of those services. For this reason the contract contains a risk sharing mechanism between the two partners in relation to any over or under spends in Elevate's year end accounts. In year 1 the risk sharing ratio is 80:20 (LBBD:Agilisys) and this ratio alters over the life of the contract to be 50:50 in year 2 then 20:80 (LBBD:Agilisys) to the end of the contract.
- 3.5. As is the case with many large, complex contracts a number of the contract clauses were drafted at a high level with the detail to be agreed and worked through by both parties post implementation. The contract allowed for this to occur and during 2011/12 both parties have worked together to resolve a number of embedding issues which included the allocation of costs and proposed target cost adjustments. As a result of this activity, for 2012/13 there is a net transfer of budgets from the Council to Elevate of £332k, including the uplift to the national insurance rate from April 2011 and the extra employers pensions costs identified after the start of the contract. Both partners worked to review and contain cost pressures throughout the year as expected under the contract.

- 3.6. For 2012/13 the target cost for the initial transferred services will decrease by £1.69m, and this represents a saving to the Council over the year in the cost of delivering those services.
- 3.7. At the end of 2011/12 Elevate have reported a balanced position, i.e. no surplus or deficit, after accounting for all potential costs and liabilities. This includes making provision for certain costs and risks yet to occur and these will be monitored by the Elevate Board throughout the year.

4. Financial Performance: Procurement Gainshare

- 4.1. In addition to the three operational services highlighted above, both the Accounts Payable and the Procurement functioned also transferred to Elevate. However, under the terms of the contract the Council is not charged for these services. Instead, the contract allows for Elevate to benefit from savings generated on procurement activity under a gainsharing arrangement.
- 4.2. For 2011/12 quarterly estimates of procurement savings were reported to and agreed by the Procurement Board consisting of officers from both parties. These agreed savings gave rise to procurement gainshare for Elevate and related to individual contracts or expense category lines where evidence was given of Elevate's influence on the procurement activity resulting in a reduced cost to the Council. The total of these savings for 2011/12 was £558k and Elevate's share was £223k based on a 60:40 split (LBBD:Elevate). These are considered to be permanent savings for which Elevate will invoice the Council on an annual basis.

5. Financial Performance: Revenue Gainshare

- 5.1. The Elevate contract provided an incentive to Agilisys as the managing partner to improve the collection of certain income streams. This incentive was the split of all monies collected above an agreed target 70:30 (LBBD:Agilisys).
- 5.2. For 2011/12, Council Tax has been agreed to be included for this incentivisation for monies collected above a target of 92.90% (based on the collection rate in 2010/11). The final collection rate was 94.13%. Under the contract this has given rise to a gainshare of £195k. The Council and Agilisys are still considering revenue gainshare for further income streams for 2012/13 and onwards.

6. Job Creation

- 6.1 As a result of Elevate's commitment to job creation, 56 local residents were placed into work by the end of the first full contract year. New employer engagement strategies and the creation of strategic relationships with key employers are helping to move towards the target of 110 new jobs created by 31 March 2013. In addition, 13 Apprentices have been recruited across the borough in a variety of roles in Elevate, Barking Enterprise Centre tenanted and non-tenanted businesses and in other organisations. Details are contained in **Appendix 3**.

7. Financial Implications

Implications completed by: Jonathan Bunt, Divisional Director of Finance

- 7.1 Elevate delivered the services within the agreed target cost for 2011/12. Throughout the year, performance against the agreed indicators was monitored and deductions were made in line with the contract as detailed in **Appendix 1**.

8. Legal Implications

Implications completed by: Eldred Taylor-Camara, Legal Group Manager

- 8.1 This report provides an account of how the Incremental Partnership Services Agreement between the Council and Elevate East London LLP and Agilisys Ltd has fared over the past year. There are no legal implications that flow from the report.

Background Papers Used in the Preparation of the Report:

- Cabinet Report, 22/11/2011: Six Monthly Performance Review of Elevate Joint Venture and Proposal for Authority to Open Negotiations for the Transfer of Further Services;
- Monthly Monitoring reports: April 2011 – March 2012.

List of appendices:

- **Appendix 1** - Summary of Performance 2011-12
- **Appendix 2** - Agreed Target Cost Reductions during the life of the contract
- **Appendix 3** - Jobs created up to March 2012

This page is intentionally left blank

Summary of Elevate Service Performance 2011-12

Key Performance Indicators

No	Key Performance Indicator	Target Type	Target	Year End Actual	Number of Monthly Failures	Total Annual Deductions	Comments
Barking & Dagenham Direct							
1	Calls Logged in Systems (Temp KPI)	Monthly	65.00%	85.25%	0	£0.00	Average Monthly Performance
2	Court Fees (Temporary Revs & Bens KPI)	Year End with Profile	69.00%	78.75%	0	£0.00	£671k collection
3	Average waiting time of customers in OSS (<15 mins)	Monthly	80.00%	87.46%	0	£0.00	Average Monthly Performance
4	Contact Centre: % of calls answered	Monthly	85.00%	90.69%	0	£0.00	Average Monthly Performance
5	Contact Centre: % of calls answered in 30 seconds	Monthly	50.00%	66.36%	0	£0.00	Average Monthly Performance
	TOTAL				0	£0.00	
Revenues and Benefits							
6	Council Tax "In Year" collection (BVPI9)	Year End with Profile	92.90%	94.10%	0	£0.00	£48.4m collection
7	General Income (Leaseholders)	Year End with Profile	71.73%	84.84%	0	£0.00	£3.2m collection
8	Rents: "In Year" collection (L166a)	Year End with Profile	96.75%	97.72%	1	£0.00	March 2012 £95m collectable vs. £92.8m collected
9	Overpayments Recovery Collection against Total Outstanding	Year End with Profile	37.38%	35.82%	3	£1,899.80	Although target missed, actually collected £2.840m compared to £2.519m last year
10	Revenues Arrears Collections (Council Tax)	Year End with Profile	9.89%	9.16%	5	£316.64	Council Tax arrears collection in percentage terms was 1.2% below the figure for the same point last year. However, the amount of cash collected was £46k more than last year
11	Benefits: LA Error Threshold	Year End	0.40%	0.36%	4	£5,572.75	100% Subsidy claimable - £157.4m

12	Benefits Assessment Quality (Financial)	Year End	86 per annum	86 Errors	0	£0.00	
No	Key Performance Indicator	Target Type	Target	Year End Actual	Number of Monthly Failures	Total Annual Deductions	Comments
13	NI 181: Processing new claims / change of circumstances (days)	Monthly	17.32 Days	11.39 days	3	£0.00	20.34 days New Claims 10.38 days CIC
	TOTAL				16	£7,789.19	
ICT							
14	Partial Network availability (Monthly Availability)	Monthly	98.21%	99.98%	0	£0.00	Average Monthly Performance
	Partial Network availability (Cumulative number of incidents)	Monthly	11	0.33	0	£0.00	Average Monthly Performance
15	Telephony (Monthly Availability)	Monthly	98.21%	99.99%	0	£0.00	Average Monthly Performance
	Telephony (Cumulative monthly incidents)	Monthly	11	0.25	0	£0.00	Average Monthly Performance
16	Applications Availability (Combined Outage in mins)	Monthly	240 Mins	100.83 Mins	2	£443.29	Average Monthly Performance
	Applications Availability - MS Exchange E-Mail (outage in mins)	Monthly	120 Mins	10.83 Mins	0	£0.00	Average Monthly Performance
	Applications Availability - Internet Access (outage in mins)	Monthly	120 Mins	9.25 Mins	0	£0.00	Average Monthly Performance
	Applications Availability - Website (outage in mins)	Monthly	120 Mins	16.42 Mins	0	£0.00	Average Monthly Performance
	Applications Availability - Finance/Payroll (outage in mins)	Monthly	120 Mins	0 Mins	0	£0.00	Average Monthly Performance
	Applications Availability - Housing System (outage in mins)	Monthly	120 Mins	4.58 Mins	0	£0.00	Average Monthly Performance
	Applications Availability - Social Services(outage in mins)	Monthly	120 Mins	34.75 Mins	1	£47.50	Average Monthly Performance
	Applications Availability - CRM (outage in mins)	Monthly	120 Mins	15.17 Mins	1	£47.50	Average Monthly Performance
17	Incident fix time (% Fixed within SLAs)	Monthly	86.00%	92.55%	1	£47.50	Average Monthly Performance

18	Annual Customer satisfaction	Annual	5.6	5.4	FAIL	£569.95	
No	Key Performance Indicator	Target Type	Target	Year End Actual	Number of Monthly Failures	Total Annual Deductions	Comments
	TOTAL				6	£1,155.74	
Procurement							
19	AP Payments <30 Days	Monthly	94.00%	93.25%	6	£5,081.96	Average Monthly Performance
	TOTAL				6	£5,081.96	
	ANNUAL TOTAL				28	£14,026.89	

Performance Indicators

No	Performance Indicator	Target Type	Target	Year End Actual	Number of Monthly Failures	Comments
B&D Direct						
1	% of emails received by B&D Direct and responded to within corporate guidelines	Monthly	99.00%	100.00%	0	Average Monthly Performance
2	% of Telecare faults repaired within 48 hours	Monthly	98.50%	99.07%	0	Average Monthly Performance
3	% of Telecare calls answered within 60 seconds	Monthly	90%	100.00%	0	Average Monthly Performance
	TOTAL				0	
Revenues and Benefits						
4	NNDR In Year Collection (LBBD)	Year End with Profile	96.00%	96.40%	3	£51.4m Collected
5	NNDR In Year Collection (LBH)	Year End with Profile	96.50%	96.90%	0	
6	Council Tax Direct Debits	Monthly	35.20%	36.58%	0	Average Monthly Performance
7	Council Tax Reviews (Annual Measure)	Annual	33.00%	43.00%	0	Annual
8	Audit Recommendations Completed	Monthly	100.00%	100.00%	0	Average Monthly Performance
9	Calls Answered	Monthly	85.00%	84.49%	1	Average Monthly Performance
10	Benefits Assessment Quality (Non-Financial, Annual)	Annual	80	83	0	Annual
11	Rents Direct Debits	Monthly	22.20%	22.21%	0	Average Monthly

						Performance
12	Work Items Outstanding	Monthly	15.00%	21.85%	3	Average Monthly Performance
No	Performance Indicator	Target Type	Target	Year End Actual	Number of Monthly Failures	Comments
13	Benefits Reviews (Annual Measure)	Annual	150	633	0	More Reviews the Better
14	Reconsiderations	Monthly	50.00%	56.13%	2	Average Monthly Performance
15	Discretionary Awards (Annual Measure)	Annual	15.00%	33.07%	0	Nearer 15% the better performance
16	Fraud Sanctions per FTE	Monthly	10 per Month	12.65	0	
	TOTAL				9	
ICT						
17	Incident Resolution Satisfaction	Monthly	4.0	6.53	0	Average Monthly Performance
18	% of Priority 1 (P1) incidents fixed within timescale	Monthly	86.00%	97.92%	1	Average Monthly Performance
19	% of Priority 2 (P2) incidents fixed within timescale	Monthly	86.00%	90.96%	2	Average Monthly Performance
20	% of Priority 3 (P3) incidents fixed within timescale	Monthly	86.00%	91.24%	3	Average Monthly Performance
21	% of Priority 4 (P4) incidents fixed within timescale	Monthly	86.00%	94.18%	1	Average Monthly Performance
22	Reopened Incidents (Number of service desk incidents which were re-opened on one or more occasion)		Not Currently Measured	N/A	N/A	
23	Setup new users (% of all requests to set up a new member of staff which were resolved within the target SLA)		Not Currently Measured	N/A	N/A	
24	First Time Fix Rate		Not Currently Measured	N/A	N/A	
25	Call Abandonment Rate	Monthly	15.00%	11.75%	1	Average Monthly Performance
26	Time taken to answer calls at Service desk within SLA	Monthly	60.00%	72.42%	0	Average Monthly Performance

27	Time taken to supply standard items within SLA		Not Currently Measured	N/A	N/A	
No	Performance Indicator	Target Type	Target	Year End Actual	Number of Monthly Failures	Comments
28	SOCITM KPI 8 Workstations supported per specialist		422	422	0	
29	Project Satisfaction		Not Currently Measured	N/A	N/A	
	TOTAL				8	
Procurement						
30	% of in scope projects run via electronic tendering (Annual)	Annual	45.00%	100.00%	0	
31	Number of e-Auctions held per year (Annual)	Annual	5.0	5.00	0	
	TOTAL				0	
	ANNUAL TOTAL				17	

This page is intentionally left blank

APPENDIX 2

Agreed Target Cost reductions during the life of the contract ('000s)

Elevate 7 year Financial Model

	FY 2010/11	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18	Total 7 Years	Comments
B&D Direct	1,496	4,488	4,101	4,087	3,739	3,726	3,713	2,266	27,616	As per Financial Model
Revs&Bens	2,118	6,055	5,878	5,683	5,473	5,270	5,076	3,259	38,811	As per Financial Model
ICT	2,818	8,455	7,918	7,261	7,018	6,764	6,633	4,340	51,207	As per Financial Model
Transferring Services Costs *	6,433	18,998	17,897	17,031	16,229	15,760	15,421	9,865	117,634	As per Financial Model
First Risk Savings Band **			-229	-387	-390				-1,006	To assist LBDD in meeting MTFS
Revised Transferring Services Cost	6,433	18,998	17,668	16,644	15,839	15,760	15,421	9,865	116,628	
Management Fee	643	1,900	1,767	1,664	1,584	1,576	1,542	987	11,663	Calculated at 10%
Overheads Support Only	208	625	625	625	625	625	625	417	4,376	Excluding Overhead Infrastructure and/or any other indirect costs
Target Cost	7,284	21,523	20,060	18,934	18,048	17,961	17,589	11,268	132,667	

First risk savings band

- LBDD (%)	80	80	80	80	80	80	80	80	20
- Agilisys (%)	20	20	20	20	20	20	20	20	80

Residual risk

- LBDD (%)	80	80	50	20	20	20	20	20	20
- Agilisys (%)	20	20	50	80	80	80	80	80	80

* This is the modelled expectation of the members based on the initial due diligence, before all any trading of the LLP has occurred

** This element of Savings is governed by the "First Risk Savings Band" and if not achieved, assuming the Transferring Services Costs target is; then the members of the LLP will be governed by the schedules above.

This page is intentionally left blank

New jobs created up to March 2012

Jobs Tracker Summary March 2012					
<1>					
Category	Baseline Headcount	New Jobs created this month	New Jobs created to date	Gap to Target	
Elevate	400	0	8		
<2> New Business / Shared Services		0	0		
<3> Eastminster / Job Relocation		0	0		
<4> Business Services Centre		0	20		
<5> Barking Enterprise Centre		10	18		
<6> Other Job Creation (inc Elevate Jobs Broker)		3	10		
Jobs Target to 31st March 2013				110	
<7> Total	400	13	56	54	
Notes					
<1>	The Baseline Headcount shown for Revs & Bens, IT Services, Procurement Services and B&D Direct is the day 1 establishment as per Schedule 4 of the LLP Agreement				
<2>	This category will be used to track new jobs created as a result of selling Elevate services to other Local Authorities.				
<3>	This category will be used to track new jobs created as a result of relocating jobs to the Borough, including relocations resulting from the Eastminster initiative and relocation of Agilisys group jobs.				
<4>	This category will be used to track jobs created by the Business Services Centre.				
<5>	This category will be used to track jobs created by the barking Enterprise Centre.				
<6>	This category will be used to track other jobs created as a result of Elevate activity, examples include increased local employment by the Jobs Broker and by initiatives in areas such as the e-proc/Trade Local pilot, 'green' skills and healthcare.				
<7>	Our target is to generate 400 net new jobs with the first milestone being to create 110 net new jobs by March 2013. As shown above 56 jobs have been created to date giving a new total job target of 54 new jobs by March 2013.				

This page is intentionally left blank

CABINET

13 November 2012

Title: Urgent Action: Demographic Growth Capital Fund Grant - Trinity School Sixth Form Further Education Centre (FEC)	
Report of the Chief Executive	
Open Report	For Information
Wards Affected: Heath	Key Decision: Yes
Report Author: Alan Dawson, Democratic Services Manager	Contact Details: Tel: 020 8227 2348 E-mail: alan.dawson@lbbd.gov.uk
Accountable Divisional Director: Fiona Taylor, Head of Legal and Democratic Services	
Accountable Director: Graham Farrant, Chief Executive	
<p>Summary:</p> <p>During the summer the Council was successful with a bid of £922,250 to the Education Funding Agency (EFA), the agency appointed by the Department for Education to manage educational finances, for additional sixth form provision in the Borough. The successful bid related to the expansion of the 16-19 student teaching accommodation at Trinity School.</p> <p>As the attached report from the Corporate Director of Children's Services explains (Appendix 1), the application process for grant funding was only launched in May this year and a key condition of the award was that projects must be completed by 31 March 2013. Officers developed a scheme that would enable the works to be procured and completed by this deadline and, in the normal course of events, the proposals would have been presented to the Cabinet for decision. However, in view of the urgent need to award the contract and commence the construction works it was not practical to put this matter up to the Cabinet on 16 October, particularly as the call-in period would not have expired until 24 October. In the circumstances, the Chief Executive decided that it would be in the Council's best interests to deal with the matter under the Urgent Action provisions of paragraph 17, Article 1, Part B of the Constitution so that the proposals could be implemented immediately.</p> <p>In line with the Urgent Action provisions and as the matter qualified as a "key decision" and had not been publicised in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Leader of the Council and the Lead Member of the Children's Services Select Committee were consulted prior to the Chief Executive agreeing the proposals on 10 October 2012.</p>	
Recommendation(s)	
<p>The Cabinet is asked to note the following action taken by the Chief Executive under the urgency procedures contained within paragraph 17 of Article 1, Part B of the Council's Constitution:</p>	

- (i) Accept the capital grant of £922,250 from the Education Funding Agency to support the provision of 16-19 student teaching accommodation at Trinity School on the terms and conditions detailed in Appendix 1 to the report;
- (ii) Agree to the inclusion of the project in the 2012/13 Capital Programme in the sum of £922,250; and
- (iii) Authorise the Corporate Director of Children's Services, in consultation with the Chief Financial Officer, Head of Legal and Democratic Services and the Cabinet Member for Children's Services, to approve the procurement route, appointment of the final contractor and the placing of an order.

Background Papers Used in the Preparation of the Report:

- Letter and enclosures from the Chief Executive of 10 October 2012 entitled "Urgent Action under Paragraph 17, Article 1, Part B of the Constitution – Demographic Growth Capital Fund Grant: Trinity School Sixth Form Further Education Centre".

List of appendices:

- **Appendix 1** - Report and appendices re "Demographic Growth Capital Fund Grant - Trinity School Sixth Form Further Education Centre (FEC)"

REPORT TO THE CHIEF EXECUTIVE

October 2012

Title: Demographic Growth Capital Fund Grant - Trinity School Sixth Form Further Education Centre (FEC)	
Report of the Corporate Director of Children's Services	
Open Report	For Decision
Wards Affected: Heath	Key Decision: Yes
Report Author: Mike Freeman, Group Manager School Estate and Admissions	Contact Details: Tel: 020 8227 3492 E-mail: mike.freeman@lbbd.gov.uk
Accountable Divisional Director: Jane Hargreaves, Divisional Director of Education	
Accountable Director: Helen Jenner, Corporate Director of Children's Services	
<p>Summary:</p> <p>The Council has been successful with a bid of £922,250 to the Education Funding Agency (EFA), the agency appointed by the Department for Education to manage educational finances, for additional sixth form provision in the Borough. The successful bid relates to the expansion of the 16-19 student teaching accommodation at Trinity School. The project must reach practical completion by 31 March 2013.</p> <p>The proposal would allow for the much needed provision of additional classrooms to ensure that Trinity School is able to respond to the demand for 16-19 education for pupils with Special Educational Needs (SEN). The capital costs will be met entirely from EFA funds, provided time constraints are met.</p> <p>The report seeks to secure the support of Cabinet for the project and for an accelerated decision making and procurement process to ensure timescales are successfully met. In view of the timescales and risks associated with this project, it is proposed to procure the works either via the Government Procurement Service (GPS) EU-procured Construction Framework Agreement or via Thames Partnership for Learning Limited (the Council's EU-procured Building Schools for the Future Local Education Partnership (BSF LEP)).</p>	
Recommendation(s)	
<p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) accept the capital grant of £922,250 from the Education Funding Agency to support the provision of 16-19 student teaching accommodation at Trinity School on the terms and conditions detailed in Annex A to this report; (ii) agree to the inclusion of this project in the 2012/13 Capital Programme in the sum of £922,250; and 	

- (iii) Authorise the Corporate Director of Children's Services, in consultation with the Chief Financial Officer, Head of Legal and Democratic Services and the Cabinet Member for Children's Services, to approve the procurement route, appointment of the final contractor and the placing of an order.

Reason(s)

To assist the Council to achieve its Policy House objective "Building a Better Life For All".

1. Introduction and Background

- 1.1 An opportunity came unexpectedly from the Education Funding Agency on 8 May 2012 which invited Council's to submit by 18 May 2012 a proposal to increase sixth form capacity. Barking and Dagenham was not identified as a priority area for mainstream sixth form provision however, there was an opportunity to bid for sixth form provision for pupils with SEN.

2. Proposal and Issues

- 2.1 After analysis of potential projects, the only viable possibility that met the criteria and could be delivered within the timescale was at Trinity School. The proposal would double the current size of Trinity School's Further Education Centre which can currently accommodate up to 30 pupils. This would increase the opportunity for young people attending the school as there are currently 41 pupils in Years 12 and 13 at Trinity School, which means that the current provision is insufficient to meet their full educational needs. Once completed, the expanded facility would also offer opportunities to pupils attending other schools to benefit, such as pupils who currently attend mainstream school Additional Resourced Provision.

3. Options Appraisal

- 3.1 The opportunity to apply for this grant was unexpected as previously indicated. Before determining which project to submit, consultation took place with colleagues and because of demand and the limitations of the buildings at Trinity and the criteria set by EFA it was felt this was the only project likely to succeed.

4 Consultation

- 4.1 During the process of formulating the bid consultation and progressing the development of the scheme was very active with the Headteacher, Governing Body and staff at the school.

5 Financial Implications

Implications completed by: Dawn Calvert, Finance Group Manager

- 5.1 Following a bid to the EFA to increase the accommodation for post 16 learners at Trinity School, the EFA has approved our bid of £922,250 to pay for 5 teaching areas together with storage, toilets and hygiene and circulation space.

- 5.2 The terms of the EFA funding states that the entire grant must be spent by 31 March 2013 and that no additional funds will be available after this date. In addition, the Council must ensure that the funding is spent in accordance to the terms and conditions of the grant otherwise the sums paid will be subject to claw back or deductions through reducing EFA revenue payments.
- 5.3 The EFA has reserved the right, at one weeks' notice, to inspect works, invoices, receipts and vouchers in relation to the scheme.
- 5.4 The project build includes a 10% contingency element to cover any unforeseen costs. Any overspends would have to be met by the Council but to mitigate this risk appropriate arrangements would be put in place, in consultation with Trinity School. Any under spends will be returned to the EFA.

6. Legal Implications

Implications completed by: Eldred Taylor-Camara, Legal Group Manager

- 6.1 This report is seeking Cabinet's approval to accept an offer of a capital grant of £922,250 from the EFA to facilitate the improvement of provision of 16-19 classroom accommodation at Trinity School.
- 6.2 The Council as a Local Education Authority has a statutory duty to support the improvement of the quality of the education and training facilities for young people in their area.
- 6.3 The EFA grant offer is subject to certain conditions set out in the Funding Terms and Conditions. The most important of these conditions are as follows:
- (a) The grant must only be applied for the purpose of facilitating the improvement of 16-19 student teaching accommodation at Trinity School.
 - (b) The improvement works must be completed latest by 31 March 2013, and EFA will not be responsible for payment in respect of any works undertaken after that date.
- 6.4 Due to the value of the proposed improvement works, the procurement of the contract will need to be approved by Cabinet.
- 6.5 Bearing in mind the time constraints imposed by the EFA deadline of 31 March 2013, it is proposed that the construction works be procured either via the Government Procurement Service (GPS) EU-procured Construction Framework Agreement or via Thames Partnership for Learning Limited (the Council's EU-procured Building Schools for the Future Local Education Partnership (BSF LEP)).
- 6.6 The GPS Framework Agreements have been tendered in the EU on behalf of UK public bodies, and are therefore available for use by the Council.
- 6.7 The option of procuring via the BSF LEP is also legally viable as the OJEU notice issued by the Council in respect of the BSF LEP contract covered the provision of construction services in respect of educational facilities.

- 6.8 The Legal Practice confirms that there is no legal reason preventing Cabinet from approving the acceptance of the grant offer from the EFA. All reasonable efforts would however need to be taken by the Council to ensure that the deadline for completion of the improvement works by the EFA deadline of 31 March 2013 is met, otherwise the Council will have to find funds from its own resources to meet the cost of any works undertaken subsequent to that date.
- 6.9 The Legal Practice should be consulted in relation to terms and conditions of the construction contract to be entered into with the successful contractor.

7. Other Implications

- 7.1 **Risk Management** - The conditions of the grant do highlight a number of requirements or risks to the project and place requirements on the Council. The two major risks are that the timescales must be met and any overspends incurred are the responsibility of the Council.

It is proposed to identify, manage and minimise these risks through a methodical approach ensuring, in particular, that the procurement route responds appropriately. The preferred contractor must have a proven record of delivery of this type of scheme. The Council will also establish good communication links with EFA so that they are fully informed during the whole process.

This is a matter which is directly linked to the identified Corporate Risk Register and listed at Corporate Risk 31 – Provision of School Places.

- 7.2 **Contractual Issues** - Details of the EFA's contractual requirements relating to the grant are detailed in the document "EFA Demographic Growth Capital Fund 2011-2012 - Terms and Conditions for Local Authorities receiving YPLA Funding" attached at Annex A to this report.

In terms of procurement at the current time there are two options being pursued to either use the GPS Framework for system buildings or as an alternative through the Council's Local Education Partnership provider (Thames Partnership for Learning Limited). Further investigations are continuing in this respect and the preferred option will be determined by officers, in consultation with the Lead Member, having regard to the best option for the Council and the current status of the GPS framework, and the deliverability of the project relating to the Council's own rules.

Corporate procurement have advised that given the timescales and risks associated with this project, from a procurement perspective, the use of a pre-existing framework arrangement such as the GPS Framework or the LEP would appear to be the most appropriate and expedient route open to us.

- 7.3 **Staffing Issues** - There are no specific staffing issues, but with more pupils in the system there is likely to be additional teaching opportunities and the increase in building area will lead to additional facilities management demands.
- 7.4 **Customer Impact** - More young learners will have improved opportunity to study, at Trinity in the Further Education Centre. Additional and improved facilities will give a better experience for the Borough's young people.

- 7.5 **Safeguarding Children** - As part of the build programme improved facilities will ensure a better learning environment, make the experience for young people much improved and to an extent improving safety for those young people attending the FEC.
- 7.6 **Health Issues** - There are no specific health issues. However, the provision of a new facility will mean an improved environment in which to work and study for staff and pupils. The school will be asked to consider the increased school size and to advise partners from health about any extra demands there are likely to be.
- 7.7 **Crime and Disorder Issues** - Consideration will be taken to make the new facility a safe place for staff and students to use and also to design out opportunities for potential crime.
- 7.8 **Property / Asset Issues** - This proposed decision would expand the provision of a Council asset.

Background Papers Used in the Preparation of the Report:

- 16-19 Demographic Growth Capital Fund (DGCF) 2012 – 13 Guidance Note for Local authorities and Other Applicants
- 16-19 DGCF Bid document
- 16-19 DGCF Letter from YPLA dated 21 June 2012 (Grant Advice Letter)
- 16-18 DGCF Proposed Works Form

List of appendices:

- **Annex A** – EFA Demographic Growth Capital Fund 2011-2012 - Terms and Conditions for Local Authorities receiving YPLA Funding

16-19 Demographic Growth Capital Fund 2012-2013
EFA Demographic Growth Capital Fund 2011-2012
Terms and Conditions for Local Authorities receiving YPLA Funding for projects in Schools

Introduction

1. **LB Barking and Dagenham** (“the Local Authority”) has submitted to the Education Funding Agency (“the EFA”) a proposal, described on the Demographic Growth Capital Fund (“DGCF”) Form A, for eligible capital works (“eligible works”), to increase the capacity for additional places for education and training for young people as a result of population growth, participation increase and/or the need for more places for learners with learning difficulties and/or disabilities.
2. The EFA has applied the DGCF assessment criteria, as published with the application information on the Department for Education (DfE) website, and has allocated funding, as set out in the Conditions of Funding letter (attached), to support the Local Authority’s proposal in relation to the eligible works.
3. By signing and returning this document, along with a completed Form B (Project Plan), the Local Authority agrees to apply the allocated funding solely for the purposes of the eligible works, as described in the DGCF Form A, according to the provisions of this agreement.
4. “Allocated funding” refers to the funding allocation identified in the Conditions of Funding letter (attached) that the EFA has allocated to the Local Authority to support the Local Authority’s proposal pursuant to this agreement.
5. This agreement comprises
 - The DGCF Form A;
 - The DGCF Form B;
 - The Conditions of Funding letter and
 - These Terms and Conditions that apply to the use of the allocated funding provided by the EFA for the purposes described by the Local Authority on the DGCF Form A.

Proposed Works

6. The Local Authority will complete, sign and return to the EFA, by the date specified in the attached Conditions of Funding letter, the DGCF Form B which sets out the following information:
 - The eligible works that the Local Authority intends to carry out;
 - Planned milestones for the project; and
 - The planned maximum expenditure profile and total expenditure.
7. The EFA may request (within any reasonable period of time as specified by the EFA) the Local Authority to provide reports on the progress of the eligible works referring to the information set out in the DGCF Form B if, for example but not limited to, the project is proceeding more slowly than planned or the Local Authority has raised concerns that could affect progress. The Local Authority shall notify the

EFA in writing with reasons as soon as possible if there are delays in the planned schedule and provide a revised schedule.

8. If the works involve acquiring land or taking out or letting a lease, the EFA requires a copy of the Land Registry Certificate, as soon as it is available, accompanied by a coloured plan that highlights the property acquired or under lease.
9. The Local Authority will need to obtain the EFA's written agreement as soon as it is aware of any changes to the eligible works listed in the DGCF Form B. The EFA will not give consent to any changes which will mean that the proposed works will no longer address the purposes set out in the Form A and B. For the avoidance of doubt, such changes will include, but are not limited to:
 - Any change (i.e. more than 10 per cent) in the scale of the works; and/or
 - Any change to the location of the site or premises at which the works will be undertaken.

Completion Date

10. The Local Authority will ensure that either the eligible works reach practical completion no later than the 31st March 2013 or, if works continue beyond 31st March 2013, that the EFA allocated funding will have been fully spent by 31st March 2013 on the works described in the DGCF Form A and Form B. No further claims can be lodged, nor will payments be made, in respect of expenditure after 31st March 2013. Any EFA-allocated funding not paid to the Local Authority by 30th April 2013 will not be subsequently available to the Local Authority and will be retained by the Department for Education. The EFA must receive the final Use of Funds statement by 31st March 2013 to trigger the final payment. If the EFA determines that the Local Authority has spent allocated funding in breach of this agreement, the EFA may clawback the appropriate level of funding by (as it decides in its sole discretion), for example but not limited to, reducing revenue payments.

Procurement and Contracting

11. The Local Authority will follow best project management and public procurement practices, including, but not limited to, procuring all EFA funded eligible work by competitive tendering, obtaining professional advice where required and securing in a timely manner all planning permissions, legal and financial consents.
12. The Local Authority is responsible for securing all required consents and permissions relating to the proposed works before the eligible works are undertaken. The EFA reserves the right to inspect consents and permissions with less than one week's notice.

Right of Inspection by EFA

13. Subject to notice of at least one week the Local Authority will make arrangements for the EFA, representatives of the EFA or the EFA's agents or consultants to attend site meetings, inspect work in progress, inspect invoices, receipts, vouchers and other documentation relating to the scheme and take copies of such invoices, receipts, vouchers or documentation.

Suspension of Payments

14. The EFA may suspend payments if the Local Authority fails to meet the conditions set out in paragraphs 9, 10, 12 and 13.

Payments

15. Subject to compliance with this agreement the EFA will pay the funding allocation to the Local Authority in four instalments through normal BACS transfers as follows:

July 2012 10% of the grant allocation
September 2012 40% of the grant allocation
December 2012 40% of the grant allocation
March 2013 10% of the grant allocation

16. Regardless of the above schedule, and if the project requires planning consent or other approvals, the EFA will not make the second and subsequent payments until the Local Authority has received the necessary consent or approvals.
17. The EFA reserves the right, in its sole discretion, to amend the timing and value of payments in accordance with project progress, including, but not limited to, accelerating payments if projects proceed faster than planned, delaying payments where progress is slower than planned and reducing payments if project costs are lower than planned. In any event, EFA allocated and paid funds will not exceed the sum stipulated in the attached Conditions of Funding Letter.
18. The final payment will be made when the EFA has received a signed copy of a Use of Funds statement, confirming that the DGCF grant has been fully spent on the DGCF works.

Allocation Reduction and Clawback

19. At its sole discretion, the EFA may require repayment of any EFA allocated funding that the Local Authority has spent either on ineligible works, (see paragraph 2), or for works that have not taken place by 31st March 2013 or at all.
20. In the event of a breach of this agreement, the EFA may exercise all or any of the following rights:
 - to require the repayment, in whole or in part, of DGCF funding paid to the Local Authority; and/or
 - to withhold, withdraw and/or clawback in whole or in part allocated funding that would otherwise have been payable to the Local Authority under this agreement. The value of withheld or withdrawn funds will be determined by the EFA in its sole discretion and will be based on the extent of the breach – for example, but not limited to, the value of ineligible works.

Limitations

21. This agreement does not impose or imply any obligation on the EFA to provide any capital funding towards additional building costs in excess of the sum of allocated funding identified in the Conditions of Funding letter (attached). The Local Authority

should make sure that it has appropriate risk assessments and plans in place to deal with the consequences of any overrun on project costs or other eventualities that may affect project completion beyond the terms of this agreement.

Change of Use

22. The proposed works supported by this funding allocation must be used for the purpose of supporting education for 16-19 year olds (or learners aged up to 24 years old where they have a learning difficulty assessment) provided by the Local Authority. The Local Authority must notify the EFA immediately, in writing, of any intended change that would result in said buildings being used for other purposes. The EFA may then determine the level of funding to be repaid by the Local Authority to the EFA, depending on the time elapsed since the completion of the works. If the Local Authority fails to notify the EFA of any change of use, the EFA may reclaim appropriate funds (in the sole discretion of the EFA) from any other funding payable to the Local Authority, at any time.

Signed:

Date:

Chief Executive or Director of Children's Services or delegated authority as listed on the previously returned Form A

Please complete and return to:

**Mary Brigden
16-19 Capital Team
Education Funding Agency
Earlsdon Park
55 Butts Road
Coventry
CV1 3BH**

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank